

**FINAL AGENDA FOR THE COUNCIL MEETING
CITY OF PORTAGE
March 23, 2010**

7:30 p.m. Call to Order.

Invocation: Mr. Ravi Akkoor of the Hindu Community.

Pledge of Allegiance.

Roll Call.

Proclamations:

- A. Approval of the March 9, 2010, Special and Regular Meeting Minutes.
- * B. Approval of Consent Agenda Motions.
- * C. Communication from the City Manager recommending that City Council approve the Check Register of March 23, 2010, as presented.
- D. Public Hearings:
- E. Petitions and Statements of Citizens.
- F. Reports from the Administration:
 - * 1. Communication from the City Manager recommending that City Council adopt the Resolution awarding the bid for the City of Portage Limited Tax General Obligation City Share Refunding Bonds, Series 2010, in an amount of \$2,575,000 to Wells Fargo Advisors at 2.8593 percent.
 - * 2. Communication from the City Manager recommending that City Council:
 - a. accept Rezoning Application #09-01 for first reading and set a public hearing for April 13, 2010; and
 - b. subsequent to the public hearing, consider approving Rezoning Application #09-01 from RM-1, multi-family residential, and R-1C, one-family residential, to PD, planned development, per the tentative plan dated March 4, 2010, written narrative dated February 23, 2010, and seven conditions contained in the Department of Community Development report dated February 26, 2010.
 - * 3. Communication from the City Manager recommending that City Council adopt the Resolution for Intergovernmental Hazardous Materials Incident Response Agreement and authorize the City Manager to sign the agreement on behalf of the city.
 - * 4. Communication from the City Manager recommending that City Council resolve to submit an application to the Michigan Liquor Control Commission for a Special License for the sale of beer and wine for consumption on the premises at Portage Central Park, 7800 Shaver Road, for *The Taste of Portage* on June 26, 2010, and authorize the City Manager to execute all documents on behalf of the city.
 - * 5. Communication from the City Manager recommending that City Council authorize the City of Portage to remain a party to the following class action lawsuit: *The City of Riverview vs. State of Michigan Case No. 09-712-CZ*.
 - * 6. Communication from the City Manager recommending that City Council establish April 20 and May 4 from 6-9 p.m. as the dates for review of the proposed Fiscal Year 2010-11 Budget.
 - * 7. Communication from the City Manager recommending that City Council hold a closed session immediately following the regularly scheduled City Council Meeting of March 23, 2010, to discuss an attorney/client communication and pending litigation.
 - * 8. Communication from the City Manager regarding the February 2010 Summary Environmental Activity Report – Information Only.
 - * 9. Department Monthly Reports.

G. Communications:

1. Ken Miller, Board Trustee of Western Michigan University and President and Chief Executive Officer of Millennium Restaurant Group, Arcadia Commons West Presentation.

H. Unfinished Business:

* I. Minutes of Boards and Commissions Meetings:

1. Portage Senior Center Advisory Board of January 20, 2010.
2. Portage Environmental Board of February 10, 2010.
3. Portage Planning Commission of March 4, 2010.

J. Ad Hoc Committee Reports:

1. Communication from the Legal Services Evaluation Committee recommending that City Council instruct the City Administration to solicit proposals for city attorney and bond counsel legal services.
2. Communication from the City Council K-9 Officer Committee recommending that City Council not pursue the creation of a K-9 unit as part of the Portage Police Department and refer the matter of drug checks using K-9s at public schools in the greater Kalamazoo area to the City Council School Committee for review and report.

K. New Business:

L. Bid Tabulations:

- * 1. Communication from the City Manager recommending that City Council award a construction contract to the low bidder, Severance Electric, Incorporated, in the not-to-exceed amount of \$180,140.67 for the installation of new traffic signals at the East Centre/Currier Drive/Mustang Boulevard intersection and authorize the City Manager to execute all documents related to the contract on behalf of the city.
- * 2. Communication from the City Manager recommending that City Council approve a contract with Elders Electric of Grandville, Michigan, to replace 140 light fixtures in the Department of Public Services (DPS) with T-6 light fixtures in the not-to-exceed amount of \$25,186 and authorize the City Manager to execute all documents related to this contract on behalf of the city.
- * 3. Communication from the City Manager recommending that City Council award a four-year contract to Wightman Environmental, Incorporated, of Sodus, Michigan, in the not-to-exceed amount of \$19,850 for Stormwater Retention Basin and Stormwater Outfall Testing and Monitoring and authorize the City Manager to execute all documents relating to this contract on behalf of the city.

M. Other City Matters:

1. Statements of Citizens.
2. From City Council and City Manager.

* 3. Reminder of Meetings:

- a. Friday, March 26, 1:30 p.m., Assessing Issues Task Force, City Hall Room #1.
- b. Thursday, April 1, 6:30 p.m., Human Services Board, City Hall Room #1.
- c. Thursday, April 1, 7:00 p.m., Planning Commission, City Council Chambers.
- d. Monday, April 5, 6:30 p.m., Youth Advisory Committee, City Hall Room #1.
- e. Wednesday, April 7, 8:15 a.m., Historic District Commission, City Hall Room #2.
- f. Wednesday, April 7, 6:30 p.m., Park Board, Schrier Park.
- g. Monday, April 12, 7:00 p.m., Zoning Board of Appeals, Council Chambers.
- h. Tuesday, April 13, 7:30 a.m., Portage Advisory Council, Portage Community Outreach Center.

N. Materials Transmitted of March 5, 9 and 12, 2010.

Adjournment.

CITY COUNCIL MEETING SUMMARY

March 9, 2010

CHECK REGISTER

- ◆ Approved the Check Register of March 9, 2010, as presented.

PUBLIC HEARINGS

- ◆ Adopted Resolution No. 5, confirming the Special Assessment Roll for the West Lake Management Program Special Assessment District No. 011-Q.
- ◆ Denied the proposed Ordinance to amend the Code of Ordinances of the City of Portage by amending Section 42-112, Definitions, and 42-129, Home Occupations, of Chapter 42, Land Development Regulations and asked the Neighborhood Revitalization/Engagement Committee to either amend the Home Occupation Ordinance or refer it to the Planning Commission and to recommend the next step to be taken in the process.

REPORTS FROM THE ADMINISTRATION

- ◆ Accepted Ordinance Amendment #09-B, sign regulations, for first reading and established a public hearing on April 13, 2010, at 7:30 p.m. or as soon thereafter as may be heard and, subsequent to the public hearing, consider approval of Ordinance Amendment #09-B.
- ◆ Approved a local-only tax increment financing incentive for the Treystar Holdings, LLC, CentrePort Commons brownfield project, 8019 Portage Road, without a Michigan Business Tax credit and without State of Michigan tax increment participation as specified in the City of Portage Brownfield Redevelopment Incentive Policy.
- ◆ Appointed Mayor Pro Tem Sackley, Councilmember Campbell and Councilmember O'Brien as the three Council representatives and Jeff Breneman and Ted W. Vlieg, Sr. as the two citizen-at-large representatives to the 2010 Utility Rate Committee and reconvened the committee.
- ◆ Received the State Tax Commission Review of Local Unit Assessment Administration Practices, Procedures and Records (14-Point Review); an Interpretation Report prepared by Joyce Foondle, Southwest Michigan Governmental Consultants; and referred both items to the City Council Assessing Issues Task Force for review and report to the City Council.

BID TABULATIONS

- ◆ Awarded a contract to the low bidder, Robert Bailey Contractors, Incorporated, for the construction of the Oakland Drive Park Stormwater Basin Improvements in the not-to-exceed amount of \$123,058.58; amended a construction engineering services contract with Paradigm Design, Incorporated, in the not-to-exceed amount of \$14,500; and authorized the City Manager to execute all documents on behalf of the city.
- ◆ Awarded a service contract for the Westfield Well #1 Pump and Motor Rehabilitation to Peerless-Midwest, Incorporated, at a total price of \$24,820 and authorized the City Manager to execute all documents related to the contract on behalf of the city.

PETITIONS AND STATEMENTS OF CITIZENS

- ◆ Tim Keck, 7551 Montego Bay, spoke in support of the Shamrock that was painted on the roof of the Montessori School on Oakland Drive; expressed his disapproval of the Zoning Board of Appeals decision, Monday, March 10, 2010; asked that City Council override them; and, expressed concern over the attitude of the Board and their treatment of the petitioners.
- ◆ Larry Provancher, 7414 Starbrook Street, concurred with Mr. Keck.

STATEMENTS OF CITY COUNCIL AND CITY MANAGER

- ◆ Councilmember Randall thanked Zoning Board of Appeals Member Doug Rhodes for his request to place all City Council Special and Committee Meetings on the website to complement the legal posting on the City of Portage Bulletin Board.
- ◆ Councilmember O'Brien encouraged everyone to contribute to the YMCA fundraiser for programs for at-risk youth.
- ◆ Councilmember Campbell announced that the 35th annual Kalamazoo Living History Show will take place March 21 and 22, 2010, at the Kalamazoo County Fairgrounds and will focus on and explore the rich and varied cultural traditions of the Great Lakes region from earliest European contact up to the late 19th century.
- ◆ Councilmember Reid indicated that the Assessor's Office passed the State Tax Commission 14-Point Review with 173 out of 200 possible points and 35% of the municipalities in the state do not pass the review.
- ◆ City Manager Evans announced that the Michigan Department of Transportation will be closing South Westnedge Avenue from April 24 at 10 p.m. until April 25 at 11 a.m. and from June 20 at 10 p.m. until 11 a.m. on June 21 to allow for construction of the I-94 bridge improvements.
- ◆ Mayor Pro Tem Sackley thanked Councilmember Campbell for getting him involved in Junior Achievement.
- ◆ Mayor Strazdas invited everyone to attend the Home Expo, March 17 through March 20 at the former Sam's Club building, 665 Mall Drive. Mayor Strazdas expressed his respect for his fellow City Councilmembers for their ability to discuss matters in a respectful way and their diversity of ideas.

COMPLETE MINUTES OF EACH CITY COUNCIL MEETING ARE AVAILABLE ON THE CITY WEBSITE AT PORTAGEMI.GOV, IN CITY HALL AND IN THE DISTRICT LIBRARY. MINUTES OF CITY BOARDS AND COMMISSIONS ARE AVAILABLE ON REQUEST FROM VARIOUS DEPARTMENTS.

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**MINUTES OF THE SPECIAL MEETING OF THE PORTAGE CITY COUNCIL
OF MARCH 9, 2010**

The Special Meeting was called to order by Mayor Peter J. Strazdas at 5:45 p.m.

The following Councilmembers were present: Councilmembers Elizabeth Campbell, Margaret O'Brien, Patricia Randall, Claudette Reid and Terry Urban, Mayor Pro Tem Ed Sackley and Mayor Peter Strazdas. Also present were City Manager Maurice Evans, Deputy City Manager Brian Bowling, City Attorney Randall Brown and City Clerk James Hudson.

Mayor Strazdas indicated that the purpose of the meeting was for City Council to discuss the disposition of legal matters, or which kinds of decisions require the contracting of legal counsel. He referenced Issue (A) 3, Freedom of Information Act (FOIA) Appeals, of the City Manager Communication dated November 23, 2009, provided in the March 5, 2010 Materials Transmitted, as the most common issue to come before City Council for scrutiny. Discussion followed. He also referenced Worker's Compensation claims, the final approval of all replacement labor agreements, settlement offers and the sale of property as occasional items that may require City Council action or scrutiny. Discussion followed.

Attorney Brown indicated that, in addition to the review of FOIA, his office handles prosecutions of city ordinances, pretrial proceedings, plea bargains after the bargain has been reached, advising city staff regarding code enforcement issues and performs trials with the assistance of the arresting Portage police officer; also, his office is directly involved in negotiating, forming and putting contracts together before recommending that City Council provide authorization to the City Manager to execute all documents related to the contract. Discussion followed. Finally, Mr. Brown indicated that the law is interpreted daily for staff and Department Heads.

In answer to the concern expressed by Councilmember Urban with regard to checks and balances with prosecutions, City Attorney Brown indicated that his office ensures consistency with internal polices, plus approval by the Judge is required in each case. Discussion followed and Mr. Brown indicated that his office performs an average of 20 pretrials per week; that there are no problems with the process; however, no annual report regarding this activity is provided to the City Manager.

In answer to Councilmember Reid, Mr. Brown indicated that a Community Development staff member makes the decision as a settlement in code enforcement proceedings with regard to zoning, community quality and housing issues with the advice of Assistant City Attorney Charlie Bear. Discussion followed.

Mayor Pro Tem Sackley asked for the highest criminal penalty for a city ordinance infraction and Mr. Brown indicated that the person could be incarcerated for up to 93 days and \$500 in fines. More discussion followed regarding zoning, community quality and housing issues, where they come from and how they are handled.

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City Manager Maurice Evans let City Council know that when they receive a labor contract for approval, the labor attorney has been involved in day-to-day negotiations, has made sure all federal laws and issues have been discussed and all of the necessary clauses have been included in the contract. There was a consensus of City Council that any involvement beyond approval of the contract would be counterproductive. Discussion followed.

Next, City Manager Evans referenced the Michigan Municipal Risk Authority (MMRA), a free-standing liability insurance carrier associated with the Michigan Municipal League (MML), and Deputy City Manager Bowling indicated that the city uses the MMRA attorneys for trials, claims and settlements. Discussion followed.

Councilmember O'Brien indicated that the City Council should be notified when there is a decision that sets a precedent that affects the policy of the city or one that might generate press coverage in order to not be blind-sided, and requested to know who filed an appeal with the Board of Review. Discussion followed. Councilmember O'Brien expressed her appreciation for getting the listing of the pending Michigan Tax Tribunal settlements. Discussion followed.

City Attorney Brown advised City Council to not get back to citizens with regards to pending tax appeals, pending civil infractions or pending prosecutions, and advised that they contact him or the City Manager. After some discussion, Mr. Evans indicated that the reporting mechanism with regard to these matters can change in order to inform City Council ahead of time. Discussion followed.

Councilmember Randall offered some of the details of her case, *Robert A. and Patricia M. Randall v. City of Portage*, and some of the difficulty she encountered in getting information, especially the report of Roger McEvers. Deputy City Manager Brian Bowling pointed out that the State Tax Commission had no authority to do an appraisal in the City of Portage and Mr. McEvers overstepped his bounds as a result. Discussion followed.

Councilmember O'Brien asked that if staff gets the sense that an issue is not "black and white," because the matter could become precedent-setting or become a bigger issue, that City Council should be informed. Mayor Strazdas asked how many times the City of Portage engages legal counsel with regards to Michigan Tax Tribunal cases. Discussion followed and Councilmember O'Brien referenced the Michigan Tax Tribunal Consent Judgments 2002-2009 listing provided with the March 5, 2010 Materials Transmitted and pointed out that there were seven of them in 2009.

Councilmember Reid summarized that City Council should get informed when a matter concerns the press, precedent and process issues. Also, she indicated that she found the comments were more helpful than the spreadsheet. Discussion followed. Mayor Pro Tem Sackley asked for an inventory of what is in the hopper, the spreadsheet of Consent Judgments, not the cases that go to a hearing, and quarterly updates as an inventory with a synopsis. He advocated that the city needs to engage legal counsel with specialization in the specific areas to assist city staff with consistency as the key goal and discussed his ideas on the matter. Discussion followed.

Mayor Strazdas asked for a consensus of when City Council should weigh in on a decision to engage outside counsel, what are the triggers when City Council should weigh in or not weigh in and when City Council should or should not weigh in on a settlement. Some suggestions presented were: when a matter concerns the press, precedent or policy issues, consent judgments and the price trigger of greater than \$10,000. There was a request for inventory lists with a synopsis of each of the cases, the results of all Michigan Tax Tribunal appeals and when an outside attorney is about to be hired to assist as legal counsel. It was conceded that if there is outside attorney involvement, the firm may already have a method to be used to communicate with elected officials. Discussion followed.

Councilmember Randall complained that she felt frustrated that city staff held information back from her with regard to her tax appeal case. Discussion followed.

Discussion followed between City Attorney Randy Brown and City Council regarding the relationship of City Council with the City Attorney. Mayor Pro Tem Sackley advocated trusted relationships with the attorney involved in a case, but there are times when he may like to have more information, such as an item on the inventory list, for example. Discussion followed. Attorney Brown indicated that the City Administration has never failed to follow his legal advice and, if they refused to follow his legal advice, he would let City Council know. He pointed out he does not advise on policy issues, only legal issues.

Mayor Strazdas summed up the consensus of City Council thus far by stating that the City Administration will provide a quarterly inventory list with a synopsis of each of the cases and the results of all Michigan Tax Tribunal appeals, including comments. He also raised the question of when should City Council weigh in on a matter by listing the five trigger mechanisms to notify City Council that had been discussed: if a matter is precedent-setting; if a matter would result in press exposure; if the matter has a value of greater than \$10,000; if an outside attorney is about to be hired to assist as legal counsel; and, if a formal settlement has been reached. He questioned whether the formal settlement information should come after the decision has been made or should the information come to City Council in closed session before the decision is made. Councilmember Reid indicated that if the city has consistent legal counsel, getting the information after the settlement has been decided would be preferable as she expressed her wish not to micro-manage. Discussion followed.

City Manager Evans indicated that there is consistent legal counsel on all Michigan Tax Tribunal cases; that Financial Services Director Bob Luders understands the systems; that there are times when hiring an attorney is not necessary and it is up to the Administration to prove that; that going back nine months, he would agree with his assessment of the conditions, but operations are running smoothly; and, that the city has confidence in the representation provided by Varnam, Riddering, Schmidt & Howlett, LLP. He recognized that it is up to the Administration to prove a level of confidence with which City Council can be comfortable and to notify City Council in those instances discussed as requested so as not to be blind-sided.

Mayor Strazdas expressed an interest in referring the matters of outside legal counsel and settlements to the Legal Services Evaluation Committee for further discussion and to provide a recommendation to City Council.

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Councilmember O'Brien indicated that she does not have the confidence that this issue has been resolved and advocated another meeting of full City Council instead of the Legal Services Evaluation Committee. Discussion followed.

Councilmember Urban expressed a concern regarding the precedent-setting trigger mechanism by saying that Michigan Tax Tribunal cases are handled on a case by case basis, and none of them are precedent-setting. Discussion followed and City Attorney Brown concurred with Councilmember Urban by saying that each case has its own merits. Discussion followed.

Councilmember O'Brien objected to the \$10,000 value to trigger notification of City Council as she might have an issue with a case of a smaller value and want information to assist her with a citizen complaint. Discussion followed.

Mayor Pro Tem Sackley left at 7:08.

Councilmember O'Brien again advocated another meeting of full City Council instead of referring the matter to the Legal Services Evaluation Committee to ensure all have had the benefit of all discussions and not have three Councilmembers at a different stage of understanding than the other four. Discussion followed. There was a consensus to have another Special Meeting on this subject to come to a resolution of the various issues raised.

ADJOURN: Mayor Strazdas adjourned the meeting at 7:10 p.m.

James R. Hudson, City Clerk

The Regular Meeting was called to order by Mayor Strazdas at 7:30 p.m.

The City Clerk called the roll with the following members present: Councilmembers Elizabeth A. Campbell, Margaret E. O'Brien, Patricia M. Randall, Claudette S. Reid, Terry R. Urban and Mayor Pro Tem Edward J. Sackley and Mayor Peter J. Strazdas. Also in attendance were City Manager Maurice S. Evans, City Attorney Randall Brown and City Clerk James R. Hudson.

Mayor Strazdas introduced Associate Pastor Bill Vande Giessen of the Cherry Creek Community Church, who gave the invocation and the City Council and the audience recited the Pledge of Allegiance.

APPROVAL OF MINUTES: Motion by O'Brien, seconded by Reid, to approve the February 23, 2010 Special and Regular Meeting Minutes as presented. Upon a voice vote, motion carried 7 to 0.

* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Campbell to read the Consent Agenda. Motion by O'Brien, seconded by Sackley, to approve the Consent Agenda motions as presented. Upon a roll call vote, motion carried 7 to 0.

* **APPROVAL OF CHECK REGISTER OF MARCH 9, 2010:** Motion by O'Brien, seconded by Sackley, to approve the Check Register of March 9, 2010. Upon a roll call vote, motion carried 7 to 0.

PUBLIC HEARINGS:

WEST LAKE MANAGEMENT PROGRAM SPECIAL ASSESSMENT DISTRICT NO. 011-Q – RESOLUTION NO. 5: Mayor Strazdas opened the public hearing and introduced City Engineer Christopher Barnes, who provided an overview of the request from the West Lake Board. He indicated that the West Lake Board currently has \$85,273 in the weed remediation fund, that the cost of the improvement is \$159,335, that the share of the Special Assessment District is \$59,250 and that the share of the City-at-Large is \$14,812. Mr. Barnes indicated that the assessment was figured on a per parcel basis as each lake owner recognizes that they each have equal access and use of the lake. The assessment per parcel is \$250 for a five-year period or \$50 per year.

Mayor Strazdas opened the public hearing to comments from the public and Bob Erickson, 619 South Shore Drive, thanked City Council for their support and Chris Barnes and Dallas Williams for getting all of the information together on the matter. Mayor Strazdas reciprocated with an expression of his appreciation for his leadership and stewardship of the lake and recognized Mr. Barnes and the Administration for their assistance in the matter.

Motion by O'Brien, seconded by Reid, to close the public hearing. Upon a voice vote, motion carried 7 to 0. Motion by Campbell, seconded by O'Brien, to adopt Resolution No. 5, confirming the Special Assessment Roll for the West Lake Management Program Special Assessment District No. 011-Q. City Attorney Randy Brown interjected that he wanted City Council to understand that this action does not preclude the use of other methods of special assessment with any future assessments that may come before City Council. Upon a roll call vote, motion carried 7 to 0.

ORDINANCE AMENDMENT #09-C, HOME OCCUPATION REGULATIONS: Mayor Strazdas indicated that this proposed ordinance was in response to some of the findings of the Portage 2025 Visioning Project and the 2009 City Council retreat that resulted in a work topic sent to the Planning Commission, who independently focused on this topic. Mayor Strazdas opened the public hearing and introduced Jeff Erickson, Director of Community Development, who reviewed the process and some of the language of the proposed ordinance. Mr. Erickson distinguished between passive home occupations and active home occupations and indicated that passive home occupations have been a part

of the city since its inception. Discussion followed. Mayor Strazdas summarized that the passive home occupations ordinance has been on the books since the 1980's and there is no proposed change, and the only change is with active home occupations. Mr. Erickson indicated that the city has only received eleven applications for home occupation permits since July 2007 and all have been approved. Discussion followed.

At the request of Mayor Pro Tem Sackley, Mr. Erickson distinguished section 42-129.B.3 saying that the Home Occupation Ordinance expands where home occupation based activities would be best placed. Mr. Erickson further explained that if one of the desires is to expand activity, then protecting the neighborhood is critical, so a set of standards is important and this standard along with the rest of the standards, the fifteen conditions in section 42-129.B, have to be considered by the Planning Commission before an active home occupation is allowed. Discussion followed. Mr. Erickson pointed out that it was important that active home occupations not be situated in the interior of a neighborhood as there can be a certain amount of angst associated with some home businesses in the neighborhoods, and there are a limited number of back lots in Portage.

In response to Councilmember Reid, Mr. Erickson discussed enforcement, complaints, adding one or more employees to an active home occupation business, business signs and types of vehicles in the neighborhood and the importance of protecting the neighborhood.

In response to the concerns of Councilmember Urban, Mr. Erickson indicated that staff attempts to adhere to the standards in the Code of Ordinances and based on the review by the Administration of other municipal ordinances and tools available, overlay zoning and distance separation, as with day care centers, were not considered as alternatives. Discussion followed.

Mr. Erickson assured Councilmembers Randall and O'Brien that all fifteen standards would be considered by the Planning Commission when granting active home occupations, not just section 42-129.B.3. Discussion followed regarding fees, the amount of square footage in the home devoted to the business and hours of operation.

John Zull, 416 Barberry Street, spoke in opposition to the ordinance as presented as there is a process for reevaluating property through the rezoning process. He spoke in support of protecting neighborhoods, to only allow passive home occupations in Portage neighborhoods and to expend more effort to enforce the blight ordinance.

Philip Stinchcomb, 1607 Bellaire Avenue, viewed the proposed active home occupations portion of the ordinance as pitting "neighbor against neighbor" and objected to allowing the government to tell him that he cannot do something in his neighborhood saying that he sees nothing wrong with placing a sign in the yard advertising a business, that it is okay to bring more business into the neighborhood and viewed the ordinance as an attempt to dissect/micromanage all of the households in the city. Discussion followed.

Planning Commissioner Jim Pearson, 3004 East Shore Drive, indicated that the Planning Commission first considered the property line language in section 42-129.B.3, agreed that the economy is changing and businesses may need a better accommodation in neighborhood settings and addressed the cul-de-sac issue, but had not thought of the cul-de-sac next to a thoroughfare. He then compared the proposed ordinance to the wind turbine ordinance saying that this ordinance represents a compromise as it allows the homeowner to gradually bring businesses into the neighborhood, and if things (sic) do not improve, then it (sic) can be changed. He agreed that, after a review by City Council and the City Attorney, the "shall" can be change to "must" and suggested the distance and density issue be treated much like day care centers are with an application for a waiver as an option in order to allow another business in the neighborhood. Discussion followed.

Andrea Stork, 1515 Dogwood Drive, indicated that a passive home occupation business immediately becomes active when the business owner hires an individual, so the goal envisioned by the Portage 2025 Visioning Project becomes difficult to accomplish. Discussion followed.

Dave Norris, 3683 Bellflower Drive, concurred with Councilmember Randall and her concern for the survival of businesses in today's failing economy and objected to full transparency by a business owner in front of the Planning Commission. Mayor Strazdas asked for input from anyone regarding the

number of employees it would take to change a home occupation from passive to active in the neighborhood.

Seth Giem, 10234 East Shore Drive, owner of the Train Barn, described his business, explained that he rarely had a lot of cars on the property and complained about the boats in the water in Austin Lake in the front of his house. Discussion followed.

In answer to Andrea Stork, Mr. Erickson explained that the process for applying for a home occupation permit requires consistency with the established ordinance and administrative approval where possible. He indicated that a passive home occupation becomes active once the Planning Commission finds that the standards have been met. Discussion followed.

City Attorney Randy Brown opined that deciding where the passive home occupation becomes active is basically a policy issue for City Council; because of the zoning, people are supposed to live at the residence and home occupation is an accessory use of the property. He explained that "accessory" is defined as passive in the current ordinance, so the question is how much should the ordinance change to accommodate an "active" classification; if "no employee" is considered accessory, then "one employee" changes the character, so one employee is enough to make it active. Also, he said that the whole area of the home could be a business; therefore, a guideline had to be established, so 25% was selected. Discussion followed.

Councilmember O'Brien determined that the controlling factor should be "jobs." She indicated that people work differently today than in the past, and the impact on the neighborhood could actually decrease. She cited webmasters and independent contractors as possible examples and argued that the Planning Commission should be able to look for the uniqueness of a business and the amount of impact on the neighborhood in their determinations.

Mayor Strazdas summed up and Mayor Pro Tem Sackley asked that the ordinance not address active versus passive, but should address the limits and the number of people is irrelevant because they could walk, bike or be dropped off at the residence. Discussion followed.

Councilmember Urban disagreed that it was about jobs because it is about protecting the neighborhood and spoke in favor of the current ordinance in its present form. Discussion followed.

Councilmember Reid spoke in support of using impact on the neighborhood as a standard, to allow people to work in their homes without providing a burden on the neighbors, and recommended that the Neighborhood Revitalization/Engagement Committee review and provide a recommendation to City Council.

Councilmember Campbell likened home occupation use to a day care operation, disagreed with section 42-129.B.3 and suggested a special meeting between City Council and the Planning Commission.

Councilmember Randall mentioned the principle resident state tax exemption for home-based businesses. Discussion followed.

Motion by Reid, seconded by Campbell, to close the public hearing. Upon a voice vote, motion carried 7 to 0. Motion by Urban, seconded by Reid, to deny the proposed Ordinance to amend the Code of Ordinances of the City of Portage by amending Section 42-112, Definitions, and 42-129, Home occupations, of Chapter 42, Land Development Regulations. Discussion followed. Upon a roll call vote, motion carried 7 to 0.

Motion by Urban, seconded by Sackley, to ask the Neighborhood Revitalization/Engagement Committee to either amend the Home Occupation Ordinance or refer it to the Planning Commission and to recommend the next step to be taken in the process. Discussion followed. Upon a roll call vote, motion carried 7 to 0.

REPORTS FROM THE ADMINISTRATION:

* **ORDINANCE AMENDMENT #09-B, SIGN REGULATIONS:** Motion by O'Brien, seconded by Sackley, to accept Ordinance Amendment #09-B, sign regulations, for first reading and establish a public hearing on April 13, 2010, at 7:30 p.m. or as soon thereafter as may be heard and,

subsequent to the public hearing, consider approval of Ordinance Amendment #09-B. Upon a roll call vote, motion carried 7 to 0.

* **BROWNFIELD REDEVELOPMENT INCENTIVE POLICY, TREYSTAR HOLDINGS, LLC:** Motion by O'Brien, seconded by Sackley, to approve a local-only tax increment financing incentive for the Treystar Holdings, LLC, CentrePort Commons brownfield project, 8019 Portage Road, without a Michigan Business Tax credit and without State of Michigan tax increment participation as specified in the City of Portage Brownfield Redevelopment Incentive Policy. Upon a roll call vote, motion carried 7 to 0.

* **2010 UTILITY RATE COMMITTEE:** Motion by O'Brien, seconded by Sackley, to appoint Mayor Pro Tem Sackley, Councilmember Campbell and Councilmember O'Brien as the three Council representatives and Jeff Breneman and Ted W. Vliek, Sr. as the two citizen-at-large representatives to the 2010 Utility Rate Committee and reconvene the committee. Upon a roll call vote, motion carried 7 to 0.

* **STATE TAX COMMISSION 14-POINT REVIEW:** Motion by O'Brien, seconded by Sackley, to receive the State Tax Commission Review of Local Unit Assessment Administration Practices, Procedures and Records (14-Point Review); an Interpretation Report prepared by Joyce Foondle, Southwest Michigan Governmental Consultants; and refer both items to the City Council Assessing Issues Task Force for review and report to the City Council. Upon a roll call vote, motion carried 7 to 0.

MINUTES OF BOARDS AND COMMISSIONS: City Council received the minutes of the following Boards and Commissions:

- Portage Historic District Commission of January 6 and February 3, 2010.
- Portage Board of Education Regular of January 25, 2010, and Committee of the Whole Work Session of February 8, 2010.
- Portage Park Board of February 3, 2010.
- Portage Human Services Board of February 4 and 11, 2010.
- Portage Planning Commission of February 18, 2010.

BID TABULATIONS:

* **STORM DRAINAGE IMPROVEMENTS - OAKLAND DRIVE PARK STORMWATER BASIN:** Motion by O'Brien, seconded by Sackley, to award a contract to the low bidder, Robert Bailey Contractors, Incorporated, for the construction of the Oakland Drive Park Stormwater Basin Improvements in the not-to-exceed amount of \$123,058.58; amend a construction engineering services contract with Paradigm Design, Incorporated, in the not-to-exceed amount of \$14,500; and authorize the City Manager to execute all documents on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

* **WESTFIELD WELL #1 PUMP AND MOTOR REHABILITATION:** Motion by O'Brien, seconded by Sackley, to award a service contract for the Westfield Well #1 Pump and Motor Rehabilitation to Peerless-Midwest, Incorporated, at a total price of \$24,820 and authorize the City Manager to execute all documents related to the contract on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

PETITIONS AND STATEMENTS OF CITIZENS: Tim Keck, 7551 Montego Bay, spoke in support of the Shamrock that was painted on the roof of the Montessori School on Oakland Drive;

DRAFT

expressed his disapproval of the Zoning Board of Appeals decision, Monday, March 10, 2010; asked that City Council override them; and, expressed concern over the attitude of the Board and their treatment of the petitioners. Discussion followed.

Larry Provancher, 7414 Starbrook Street, concurred with Mr. Keck. Discussion followed.

OTHER CITY MATTERS:

STATEMENTS OF CITY COUNCIL AND CITY MANAGER: Councilmember Randall thanked Zoning Board of Appeals Member Doug Rhodes for his request to place all City Council Special and Committee Meetings on the website to complement the legal posting on the City of Portage Bulletin Board.

Councilmember O'Brien encouraged everyone to contribute to the YMCA fundraiser for programs for at-risk youth.

Councilmember Campbell announced that the 35th annual Kalamazoo Living History Show will take place March 21 and 22, 2010, at the Kalamazoo County Fairgrounds and will focus on and explore the rich and varied cultural traditions of the Great Lakes region from earliest European contact up to the late 19th century.

Councilmember Reid indicated that the Assessor's Office passed the State Tax Commission 14-Point Review with 173 out of 200 possible points and 35% of the municipalities in the state do not pass the review.

City Manager Evans announced that the Michigan Department of Transportation will be closing South Westnedge Avenue from April 24 at 10 p.m. until April 25 at 11 a.m. and from June 20 at 10 p.m. until 11 a.m. on June 21 to allow for construction of the I-94 bridge improvements.

Mayor Pro Tem Sackley thanked Councilmember Campbell for getting him involved in Junior Achievement.

Mayor Strazdas invited everyone to attend the Home Expo, March 17 through March 20 at the former Sam's Club building, 665 Mall Drive. Mayor Strazdas expressed his respect for his fellow City Councilmembers for their ability to discuss matters in a respectful way and their diversity of ideas.

ADJOURNMENT: Mayor Strazdas adjourned the meeting at 10:24 p.m.

James R. Hudson, City Clerk

***Indicates items included on the Consent Agenda.**

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: March 16, 2010

FROM: Maurice S. Evans, City Manager



SUBJECT: Check Register

ACTION RECOMMENDED: That City Council approve the Check Register of March 23, 2010 as presented.

Attached please find the Check Register for the period March 3, 2010 through March 16, 2010, which is recommended for approval.

c: Daniel S. Foecking, Finance Director

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
03/03/2010	269995	57TH DISTRICT COURT	999999	205.00
03/05/2010	269996	A P C O INTERNATIONAL	1491	92.00
03/05/2010	269997	AT&T	849	6,157.47
03/05/2010	269998	A T & T LONG DISTANCE	4060	121.44
03/05/2010	269999	ABONMARCHÉ CONSULTANTS, INC	597	10,763.18
03/05/2010	270000	ACCENT ENGRAVING, INC.	101	62.50
03/05/2010	270001	ACCURINT	3491	150.00
03/05/2010	270002	ACS	3748	1,720.00
03/05/2010	270003	ACTION PIANO SERVICE	3675	97.00
03/05/2010	270004	ALLEGRA PRINT & IMAGING	533	1,866.94
03/05/2010	270005	ALLIED INFORMATION SOLUTIONS	3370	150.00
03/05/2010	270006	AMERICAN HOIST AIR & LUBE EQUI	3663	1,990.00
03/05/2010	270007	AMERICAN SAFETY & FIRST AID	113	155.43
03/05/2010	270008	ANIMAL REMOVAL SERVICE, LLC	3428	300.00
03/05/2010	270009	ANY CUTTING & WELDING	3347	130.00
03/05/2010	270010	ARISTA TRUCK SYSTEMS	4459	1,196.26
03/05/2010	270011	ARROW UNIFORM RENTAL	4058	117.10
03/05/2010	270012	AUTOMATIC DATA PROCESSING	3305	3,883.81
03/05/2010	270013	B & B YARDSCAPE	3114	2,865.00
03/05/2010	270014	B D O SEIDMAN	136	.00
03/05/2010	270015	BAC TAX SERVICES CORP	999999	330.12
03/05/2010	270016	BARTHOLOMEW HEATING & COOLING	4509	2,645.00
03/05/2010	270017	BATTLE LAKE SR. CARD PROJECT	726	60.49
03/05/2010	270018	BEL-AIRE HEATING & AIR CONDITI	139	6,295.00
03/05/2010	270019	BEST BUY CO, INC	1573	319.99
03/05/2010	270020	BLOCK, MARY BETH	532	47.85
03/05/2010	270021	BLUE CROSS/BLUE SHIELD OF MICH	642	215,094.09
03/05/2010	270022	BLUESTONE PSYCH	3808	750.00
03/05/2010	270023	BOOTH NEWSPAPERS INC	89	82.54
03/05/2010	270024	BORGESS HEALTH ALLIANCE	151	643.00
03/05/2010	270025	BORGESS VNA	999999	215.82
03/05/2010	270026	BREATHING AIR SYSTEMS	4466	1,083.25
03/05/2010	270027	BUTLER, BEA	999999	1,000.00
03/05/2010	270028	BYHOLT INC.	68	645.16
03/05/2010	270029	C D W GOVERNMENT, INC.	2690	143.91
03/05/2010	270030	CAMPBELL AUTO SUPPLY	437	89.70
03/05/2010	270031	CARPENTER, KELLEY	999999	242.28
03/05/2010	270032	CASEY'S AUTO ELECTRIC SERVICE	1593	779.94
03/05/2010	270033	CHANG, HYUNG SOOK	999999	25.46
03/05/2010	270034	CHARTER COMMUNICATIONS	3080	60.00
03/05/2010	270035	CHEAP JOE'S ART STUFF	4505	14.99
03/05/2010	270036	CIMCO REFRIGERATION	2118	377.00
03/05/2010	270037	CINTAS CORP.	2206	821.92
03/05/2010	270038	CITY OF KALAMAZOO (PUBLIC SAF)	1560	5,190.42
03/05/2010	270039	CITY OF KALAMAZOO (PUBLIC UTIL	540	200,719.44
03/05/2010	270040	CLARK, LYNN	532	200.30
03/05/2010	270041	CLARK, STEVEN	999999	140.00
03/05/2010	270042	COCHRANE, MARY ANN & TERRANCE	999999	200.00
03/05/2010	270043	COMMUNITY INCLUSIVE RECREATION	4517	140.00
03/05/2010	270044	CONCORDE INN, THE	999999	540.00
03/05/2010	270045	CONSUMERS CREDIT UNION	999999	89.76

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	BANK CODE	CHECK AMOUNT
03/05/2010	270046	CONSUMERS ENERGY-BILL PMT CNT	189		234.55
03/05/2010	270047	CONTINENTAL LINEN SUPPLY CO.	191		40.63
03/05/2010	270048	CONTROLLED FORCE	999999		870.00
03/05/2010	270049	CROSSROADS EXPERT AUTO SERVICE	4109		1,248.26
03/05/2010	270050	LASZLO CSISZAR JR BUILDER	4287		.00
03/05/2010	270051	D S CORPORATION	3592		99.00
03/05/2010	270052	DELEEUW PLUMBING LLC	2393		1,000.00
03/05/2010	270053	DERYKE, GORDON	999999		21.63
03/05/2010	270054	DEVON TITLE AGENCY	3542		150.00
03/05/2010	270055	DIRKSEN ROOFING, INC.	4382		55.00
03/05/2010	270056	EARTH TECH	224		29,404.17
03/05/2010	270057	EMPLOYMENT GROUP, INC.	959		364.00
03/05/2010	270058	ENGINEERING SUPPLY & IMAGING	2615		110.15
03/05/2010	270059	FALK, ROGER A & AD	999999		44.76
03/05/2010	270060	FINNERMANS FARM & GARDEN SERVI	13		1,127.34
03/05/2010	270061	FIRE SERVICE MANAGEMENT	2608		633.37
03/05/2010	270062	G T S I CORP	4065		7,256.00
03/05/2010	270063	GILMORE	999999		600.00
03/05/2010	270064	GOFF, PATRICIA	999999		85.00
03/05/2010	270065	GORDON FOOD SERVICE	502		24.56
03/05/2010	270066	GORDON WATER SYSTEMS	517		188.75
03/05/2010	270067	GRAHAM FORESTRY SERVICE, INC.	464		720.00
03/05/2010	270068	GREATER KALAMAZOO FOP LODGE 98	623		933.60
03/05/2010	270069	GREATER KALAMAZOO UNITED WAY	628		1,165.70
03/05/2010	270070	GREGWARE EQUIPMENT CO.	4397		35.96
03/05/2010	270071	HABITAT FOR HUMANITY	1666		1,530.00
03/05/2010	270072	B L HARROUN & SON INC.	124		189.50
03/05/2010	270073	HEERINGA, ADAM	532		130.32
03/05/2010	270074	HI-TECH ELECTRIC CO.	1327		819.28
03/05/2010	270075	HOCKEY SERVICES	2898		588.60
03/05/2010	270076	HOME DEPOT	691		477.21
03/05/2010	270077	I.A.P.E.	999999		100.00
03/05/2010	270078	ICY TRAINING LLC	999999		460.00
03/05/2010	270079	ICY TRAINING, LLC	999999		460.00
03/05/2010	270080	IERVOLINA, SUSAN	2074		187.50
03/05/2010	270081	INDUSCO SUPPLY CO., INC.	63		477.24
03/05/2010	270082	INGE NEIL	999999		44.00
03/05/2010	270083	INKSTER, WILLIAM OR DORIS	999999		20.00
03/05/2010	270084	INT'L ASSOC OF FIRE CHIEFS	868		204.00
03/05/2010	270085	INTERFIBE CORPORATION	999999		44.09
03/05/2010	270086	KAHN, WILMA	2868		288.00
03/05/2010	270087	KALAMAZOO COUNTY TREASURER	514		651.09
03/05/2010	270088	KALAMAZOO COUNTY TREASURER	514		552.50
03/05/2010	270089	KALAMAZOO COUNTY TREASURER	514		5,600.00
03/05/2010	270090	KALAMAZOO COUNTY TREASURER	514		12,564.18
03/05/2010	270091	KALAMAZOO REG'L EDUC SVS AGENG	721		618.10
03/05/2010	270092	KALAMAZOO REGIONAL CHAMBER	3499		25.00
03/05/2010	270093	KALAMAZOO VALLEY COMMUNITY COL	230		359.93
03/05/2010	270094	KASTEN INSULATION SERVICES, IN	4510		520.00
03/05/2010	270095	KEHOE, EDWARD J	3783		320.00
03/05/2010	270096	KEYSTONE AUTO REPAIR, INC.	984		150.00

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	BANK CODE	CHECK AMOUNT
03/05/2010	270097	KNAPP ENERGY, INC.	235		15,092.08
03/05/2010	270098	LANGUAGE LINE, INC	1093		110.00
03/05/2010	270099	LAWSON PRODUCTS, INC	240		795.70
03/05/2010	270100	LERMA, INC	4156		35.00
03/05/2010	270101	LOGANS ROADHOUSE	999999		35.00
03/05/2010	270102	LONG LAKE BOARD	1720		401.25
03/05/2010	270103	LONG, WILLIAM	999999		1,083.00
03/05/2010	270104	LS&S, LLC	4506		256.35
03/05/2010	270105	M M R M A	945		272,142.00
03/05/2010	270106	M P E L R A	2305		.00
03/05/2010	270107	MAIN STREET PORTRAITS INC	4481		175.00
03/05/2010	270108	MCDONALD'S TOWING & RESCUE, IN	728		50.00
03/05/2010	270109	MENARDS, INC	258		257.60
03/05/2010	270110	METEORLOGIX	377		525.75
03/05/2010	270111	MICH DEPT OF ENERGY, LABOR &	999999		300.00
03/05/2010	270112	MICHIGAN MUNICIPAL LEAGUE	4515		95.50
03/05/2010	270113	MIDWEST SPORTS SUPPLY	4512		1,000.80
03/05/2010	270114	MINER, DAVID	999999		30.36
03/05/2010	270115	MMTA	999999		50.00
03/05/2010	270116	T MORGAN INC.	376		370.79
03/05/2010	270117	MOTION PICTURE LICENSING CORP.	3045		232.00
03/05/2010	270118	MS PARTNERS LLC	999999		964.27
03/05/2010	270119	MUNICIPAL FINANCIAL CONSULTANT	681		750.00
03/05/2010	270120	MYERS, JAMES	999999		140.00
03/05/2010	270121	NELSON'S APPLIANCE SERVICE	2955		168.50
03/05/2010	270122	NEW FRESH CLEANING SERVICE	4351		5,257.45
03/05/2010	270123	NEW WORLD SYSTEMS	1154		29,421.00
03/05/2010	270125	NEXTEL	1709		1,816.61
03/05/2010	270126	NICHOLSON, SANDRA	999999		735.00
03/05/2010	270127	NICHOLSON, SANDY	999999		500.00
03/05/2010	270128	NONPROFIT ALLIANCE	999999		65.00
03/05/2010	270129	NOVIUS	4233		125.00
03/05/2010	270130	NSA NORTH LLC	999999		792.87
03/05/2010	270131	NYE UNIFORMS	299		125.00
03/05/2010	270133	OFFICE DEFOT, INC.	1721		781.13
03/05/2010	270134	OFFICEMAX INCORPORATED	301		85.23
03/05/2010	270135	ONE WAY PRODUCTS	440		676.07
03/05/2010	270136	ORKIN, INC	469		126.00
03/05/2010	270137	P C MALL GOV. INC.	3945		44.99
03/05/2010	270138	PARADIGM DESIGN, INC.	3306		3,476.25
03/05/2010	270139	PEERLESS, INC.	1171		67.50
03/05/2010	270140	PETERS, DONNA	999999		100.00
03/05/2010	270141	PETTY CASH-CITY MANAGER	805		172.78
03/05/2010	270142	PETTY CASH-POLICE DEPT.	890		354.99
03/05/2010	270143	PHARMOPTIMA LLC	999999		1,537.41
03/05/2010	270144	PORTAGE DISTRICT LIBRARY	810		10,982.13
03/05/2010	270145	PORTAGE FIREFIGHTERS	625		1,543.20
03/05/2010	270146	PORTAGE NORTHERN CHOIR	999999		100.00
03/05/2010	270147	PORTAGE ON-CALL FIREFIGHTERS	504		124.74
03/05/2010	270148	PORTAGE POLICE OFFICERS ASSOC	624		4,056.00
03/05/2010	270149	PORTAGE PUBLIC SCHOOLS	590		644.77

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
03/05/2010	270150	PRECISION PRINTER SERVICES INC	2584	1,432.97
03/05/2010	270151	PREFERRED PLUMBING	4513	169.00
03/05/2010	270152	PRIORITY HEALTH	4254	21,521.94
03/05/2010	270153	PYKE, ARLENE	999999	44.00
03/05/2010	270154	RANGER, ROYAL & GENE	999999	200.00
03/05/2010	270155	RATHCO SAFETY SUPPLY, INC.	327	2,820.74
03/05/2010	270156	RELIABLE MANAGEMENT SYSTEMS, I	4354	331.00
03/05/2010	270157	RIVERSIDE INTEGRATED SYSTEMS,	3598	412.40
03/05/2010	270158	ROE-COMM, INC.	341	672.00
03/05/2010	270159	SAK, MARK	999999	44.00
03/05/2010	270160	SCHAEBERLE, DIANE	999999	85.00
03/05/2010	270161	SEVERANCE ELECTRIC COMPANY, INC	353	2,600.00
03/05/2010	270162	SIGNWRITER & SERIGRAPHICS	2376	290.00
03/05/2010	270163	SIMMONS FORD	2064	38.50
03/05/2010	270164	SKILLPATH SEMINARS	618	30.00
03/05/2010	270165	SLENK, MATTHEW	999999	380.00
03/05/2010	270166	SMITH, MARK	999999	100.00
03/05/2010	270167	SNELL, DEBRA	1505	402.00
03/05/2010	270168	SNELLING PERSONNEL SERVICES	2107	720.00
03/05/2010	270169	SPRINT	3721	1,473.88
03/05/2010	270170	STANDARD ELECTRIC	1046	685.04
03/05/2010	270171	STAR GLASS	2043	529.60
03/05/2010	270172	STATE INDUSTRIAL PRODUCTS CORP	2010	309.96
03/05/2010	270173	STATE OF MICHIGAN (BOILER DIV)	2125	130.00
03/05/2010	270174	STATE OF MICHIGAN (DOT)	368	15.62
03/05/2010	270175	STATE SYSTEMS RADIO, INC	369	1,561.31
03/05/2010	270176	STENSMA LAWN & POWER EQUIPMEN	3222	189.00
03/05/2010	270177	SUBURBAN MECHANICAL	1475	2,495.00
03/05/2010	270178	SUNGARD PUBLIC SECTOR	449	195.00
03/05/2010	270179	T A SCOTT CONSTRUCTION	999999	651.23
03/05/2010	270180	THE HOMESTEAD	999999	1,023.90
03/05/2010	270181	THOMPSON PUBLISHING GROUP	385	428.50
03/05/2010	270182	THOMPSON, HELENE	4417	114.00
03/05/2010	270183	THOMPSON, PATTI	532	56.29
03/05/2010	270184	TRACTOR SUPPLY CORP.	2817	18.95
03/05/2010	270185	U A W, LOCAL 2290	1862	421.54
03/05/2010	270186	U S SIGNAL COMPANY, LLC	3831	549.00
03/05/2010	270187	U S A. TOOL CO.	4369	485.46
03/05/2010	270188	UNITED PARCEL SERVICE	545	84.04
03/05/2010	270189	UNITED PETROLEUM	396	301.43
03/05/2010	270190	UNITED WATER NACO LLC	4304	250.00
03/05/2010	270191	VANCO MANUFACTURING	999999	267.43
03/05/2010	270192	WAYNICK, ROBERT	999999	56.01
03/05/2010	270193	WEST MICHIGAN GLASS SOCIETY	999999	308.00
03/05/2010	270194	WESTERN MICH ASSOC OF FIRE CHI	1212	40.00
03/05/2010	270195	WESTERN MICHIGAN INT'L TRUCKS	4306	1,752.55
03/05/2010	270196	WIGHTMAN & ASSOCIATES, INC.	425	1,800.00
03/05/2010	270197	WINDER POLICE EQUIPMENT, INC.	429	212.79
03/05/2010	270198	WINGFOOT COMMERCIAL TIRE	2613	587.76
03/05/2010	270199	WOLVERINE LAWN SERVICE, INC.	1089	4,763.00
03/05/2010	270200	ZAFAR, MOHAMMED	999999	41.56

PROGRAM: GM350L

CITY OF PORTAGE

FROM 03/03/2010 TO 03/16/2010

BANK CODE

ALL

CHECK DATE	CHECK NUMBER	VENDOR NAME	VENDOR #	CHECK AMOUNT
03/05/2010	270201	ZERO WASTE USA, INC.	4435	1,727.49
03/05/2010	270202	10TH DISTRICT COURT	9999999	200.00
03/05/2010	270203	36TH FAMILY COURT	9999999	500.00
03/05/2010	270204	360 SERVICES, INC.	637	392.34
03/05/2010	270205	57TH DISTRICT COURT	9999999	150.00
03/05/2010	270206	B D O SEIDMAN	136	5,000.00
03/05/2010	270207	BOULIS, ROB	532	35.00
03/09/2010	270208	PETTY CASH-PARKS	536	100.00
03/10/2010	270209	STATE OF MICHIGAN	3988	208.00
03/12/2010	270210	FURRY, WILLIAM	4507	1.00

DATE RANGE TOTAL *

965,980.83 *

CITY OF PORTAGE

COMMUNICATION

TO: Honorable Mayor and City Council

DATE: March 23, 2010

FROM: Maurice S. Evans, City Manager

SUBJECT: Resolution Awarding Bid

ACTION RECOMMENDED: That the City Council adopt the resolution awarding the bid for the City of Portage Limited Tax General Obligation City Share Refunding Bonds, Series 2010 in the amount of \$2,575,000 to Wells Fargo Advisors at 2.8593 percent.

Bid proposals for bonds were received and opened in Portage and Detroit at 11:30 a.m. on March 23, 2010. The city is selling the refunding bonds to refinance six Limited Tax General Obligation City Share bond issues.

Interest rates associated with bids were favorable and ranged between 2.8593 and 3.239524 percent. The recommendation for the award of bids is to the lowest bidder Wells Fargo Advisors at 2.8593 percent.

Present value savings on refinancing the Limited Tax General Obligation City Share Refunding Bond issue is \$134,104.44.

Detailed bid tabulations are attached. It is advised that Council award the bids as recommended.

c: Daniel S. Foecking, Finance Director

CITY OF PORTAGE

At a regular meeting of the City Council of the City of Portage, Kalamazoo County, Michigan (the "City") held in Portage, Michigan on March 23, 2010, at 7:30 p.m. Eastern Daylight Savings Time, there were

PRESENT: _____

ABSENT: _____

AWARD RESOLUTION

The City Finance Director announced that this meeting was scheduled to confirm the appointment of The Bank of New York Mellon Trust Company, N.A., Detroit, Michigan as bond registrar, paying agent, transfer agent, authenticating agent and escrow agent and to award the purchase of the \$2,595,000 aggregate principal amount, City of Portage General Obligation Limited Tax City Share Refunding Bonds, Series 2010, dated April 1, 2010 (the "Refunding Bonds"), which were offered for sale at a price of not less than 99% of the face amount thereof, as circulated in the Request for Proposal. The City Finance Director next reported that the proposals summarized in *EXHIBIT A* appended hereto had been received at or prior to 11:30 a.m., Eastern Daylight Savings Time, on March 23, 2010 at the office of City Finance Director, 7900 South Westnedge Ave., Portage, Michigan, 49002 or at the Municipal Advisory Council of Michigan, Buhl Building, 535 Griswold, Suite 1850, Detroit, Michigan.

The following resolution was offered by City Council member _____ and was seconded by City Council member _____.

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORTAGE, KALAMAZOO COUNTY, MICHIGAN as follows:

1. The actions of the officials of the City in fixing the date of sale of the Refunding Bonds and in circulating the Request for Proposal as heretofore provided, are hereby ratified and confirmed.

2. The content of the aforementioned Request for Proposal (a copy of which is attached hereto) and the content of the Nearly Final Official Statement, dated March 10, 2010 and distributed in connection with the solicitation of proposals for the purchase of the Refunding Bonds, are each hereby ratified and

confirmed and the Final Official Statement to be delivered with the Refunding Bonds shall be completed and delivered.

3. The City hereby accepts the proposal of Wells Fargo Advisors to purchase the \$2,595,000 aggregate principal amount of the Refunding Bonds at par, plus accrued interest to the date of delivery, less a discount of \$9,932.85, and bearing interest per annum as shown on EXHIBIT A with a true interest rate of 2.859300%, which proposal produces the lowest true interest cost to the City, and all other proposals are hereby rejected and the good faith checks of the unsuccessful proposers are hereby ordered to be returned.

4. The City hereby confirms the appointment of The Bank of New York Mellon Trust Company, N.A., Detroit, Michigan as bond registrar, paying agent, transfer agent, authenticating agent and escrow agent for the Refunding Bonds in accordance with the terms set forth in the Refunding Bond Resolution previously adopted by the City Council (the "Resolution").

5. The City, pursuant to the Resolution, shall increase or decrease the aggregate amount of the Refunding Bonds, as set forth in EXHIBIT B attached hereto.

6. The City shall proceed to issue the Refunding Bonds in the total principal amount of \$2,575,000.00 with annual maturities and at the interest rates set forth in EXHIBIT B. The Refunding Bonds shall be dated April 1, 2010 and will bear interest from their date of issuance payable on December 1, 2010 and semiannually thereafter on June 1 and December 1 in each year until maturity.

7. All prior resolutions of the City Council are rescinded insofar as, and to the extent that, they may be in conflict with this Award Resolution.

A vote on this Award Resolution was taken and was as follows:

YES: _____

NO: _____

ABSTAIN: _____

The Resolution was declared adopted.

CERTIFICATION

The undersigned, being the duly qualified and acting Clerk of the City of Portage, Kalamazoo County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City at a regular meeting held on March 23, 2010 at which meeting a quorum was present and remained throughout; (2) the original thereof is on file in the records of the proceedings of the City Council of the City of Portage in my office; (3) the meeting was conducted, and public notice thereof was given pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan 1976, as amended); and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

City Clerk

las.ar-ref-por-cs2010

**General Obligation Limited Tax City Share
Refunding Bonds, Series 2010**

\$ 2,575,000

Bidder:

Interest rate:

Wells Fargo Advisors	2.859300%
Chemical Bank	2.881200%
Fifth Third Securities, Inc.	2.945841%
Robert W. Baird & Co., Inc.	3.051104%
Hutchinson, Shockey, Erley & Co.	3.223151%
PNC Capital Markets	3.239524%

Bids opened at 11:30 on March 23, 2010



FINAL

\$2,575,000
City of Portage
General Obligation Limited Tax City Share Refunding Bonds, Series 2010

NET SOURCES AND USES

Dated Date: 04/01/10
Closing Date: 04/13/10

Sources:

Bond Proceeds	\$2,575,000.00
Accrued Interest	2,108.00
	<hr/>
	<u>\$2,577,108.00</u>

Uses:

Escrow Fund	\$2,512,034.67
Costs of Issuance	53,251.94
Underwriter's Discount	9,713.39
Interest Account	2,108.00
Available Amount	0.00
	<hr/>
	<u>\$2,577,108.00</u>

Net Savings:	\$77,608.00
Present Value Savings:	\$134,104.44
Percent of refunded par:	5.463%



\$2,575,000
City of Portage
General Obligation Limited Tax City Share Refunding Bonds, Series 2010

NEW DEBT SERVICE

2.68709%

Date	Principal	Price	Coupon	Interest	Total Debt Service	Fiscal Total	Present Value Debt Service
12/01/10	\$290,000.00	100.756%	2.000%	\$42,160.00	\$332,160.00		326,592.05
06/01/11				28,720.00	28,720.00	\$360,880.00	27,864.20
12/01/11	255,000.00	101.615%	2.000%	28,720.00	283,720.00		271,616.42
06/01/12				26,170.00	26,170.00	309,890.00	24,721.44
12/01/12	275,000.00	101.936%	2.000%	26,170.00	301,170.00		280,727.91
06/01/13				23,420.00	23,420.00	324,590.00	21,540.94
12/01/13	155,000.00	101.760%	2.000%	23,420.00	178,420.00		161,929.22
06/01/14				21,870.00	21,870.00	200,290.00	19,565.49
12/01/14	255,000.00	101.107%	2.000%	21,870.00	276,870.00		244,661.36
06/01/15				19,320.00	19,320.00	296,190.00	16,846.14
12/01/15	265,000.00	99.470%	2.000%	19,320.00	284,320.00		244,627.17
06/01/16				16,670.00	16,670.00	300,990.00	14,152.62
12/01/16	195,000.00	99.695%	2.500%	16,670.00	211,670.00		177,322.72
06/01/17				14,232.50	14,232.50	225,902.50	11,764.95
12/01/17	205,000.00	99.657%	2.800%	14,232.50	219,232.50		178,820.71
06/01/18				11,362.50	11,362.50	230,595.00	9,145.15
12/01/18	190,000.00	99.245%	3.000%	11,362.50	201,362.50		159,918.71
06/01/19				8,512.50	8,512.50	209,875.00	6,670.86
12/01/19	150,000.00	99.587%	3.250%	8,512.50	158,512.50		122,572.20
06/01/20				6,075.00	6,075.00	164,587.50	4,635.31
12/01/20	125,000.00	99.334%	3.375%	6,075.00	131,075.00		98,686.14
06/01/21				3,965.63	3,965.63	135,040.63	2,946.13
12/01/21	105,000.00	100.000%	3.625%	3,965.63	108,965.63		79,879.18
06/01/22				2,062.50	2,062.50	111,028.13	1,491.91
12/01/22	110,000.00	100.000%	3.750%	2,062.50	112,062.50	112,062.50	79,985.67
<u>\$2,575,000.00</u>				<u>\$406,921.25</u>	<u>\$2,981,921.25</u>	<u>\$2,981,921.25</u>	<u>\$2,588,704.60</u>

Dated Date: 04/01/10
 Closing Date: 04/13/10

Principal: \$2,575,000.00
 Accrued Interest: 2,108.00
 Credit Enhancement: 0.00
 Orig Issue Prem/(Disc): 11,596.60

\$2,588,704.60



\$2,575,000
City of Portage
General Obligation Limited Tax City Share Refunding Bonds, Series 2010

NET PRESENT VALUE SAVINGS ANALYSIS

Net Present Value Savings/(Loss): \$134,104.44

Date	Outstanding Debt Service	Remaining Non-Refunded Debt-Service	New Debt Service	Net Savings/(Loss)	Fiscal Net Savings/(Loss)	2.68709% Present Value Savings/(Loss)
06/01/10	\$57,405.63	\$0.00	\$0.00	\$57,405.63	\$57,405.63	\$57,201.69
12/01/10	432,405.63		330,052.00 *	102,353.63		100,673.22
06/01/11	49,300.63		28,720.00	20,580.63	122,934.25	19,967.36
12/01/11	384,300.63		283,720.00	100,580.63		96,289.83
06/01/12	41,998.13		26,170.00	15,828.13	116,408.75	14,952.01
12/01/12	361,998.13		301,170.00	60,828.13		56,699.38
06/01/13	34,936.88		23,420.00	11,516.88	72,345.00	10,592.84
12/01/13	244,936.88		178,420.00	66,516.88		60,368.94
06/01/14	29,806.88		21,870.00	7,936.88	74,453.75	7,107.80
12/01/14	239,806.88		276,870.00	(37,063.13)		(32,751.52)
06/01/15	24,594.38		19,320.00	5,274.38	(31,788.75)	4,599.01
12/01/15	244,594.38		284,320.00	(39,725.63)		(34,179.68)
06/01/16	19,058.13		16,670.00	2,388.13	(37,337.50)	2,027.49
12/01/16	174,058.13		211,670.00	(37,611.88)		(31,508.67)
06/01/17	15,286.88		14,232.50	1,054.38	(36,557.50)	871.57
12/01/17	175,286.88		219,232.50	(43,945.63)		(35,845.00)
06/01/18	11,356.88		11,362.50	(5.63)	(43,951.25)	(4.53)
12/01/18	156,356.88		201,362.50	(45,005.63)		(35,742.71)
06/01/19	7,800.00		8,512.50	(712.50)	(45,718.13)	(558.35)
12/01/19	117,800.00		158,512.50	(40,712.50)		(31,481.56)
06/01/20	5,067.50		6,075.00	(1,007.50)	(41,720.00)	(768.74)
12/01/20	90,067.50		131,075.00	(41,007.50)		(30,874.47)
06/01/21	3,055.00		3,965.63	(910.63)	(41,918.13)	(676.52)
12/01/21	68,055.00		108,965.63	(40,910.63)		(29,990.26)
06/01/22	1,543.75		2,062.50	(518.75)	(41,429.38)	(375.24)
12/01/22	66,543.75		112,062.50	(45,518.75)	(45,518.75)	(32,489.44)
	<u>\$3,057,421.25</u>	<u>\$0.00</u>	<u>\$2,979,813.25</u>	<u>\$77,608.00</u>	<u>\$77,608.00</u>	<u>\$134,104.44</u>

* Less accrued interest.



\$805,000
City of Portage
General Obligation Limited Tax City Share Bonds, Series 1995

REMAINING ORIGINAL DEBT SERVICE SCHEDULE

Date	Principal	Coupon	Interest	Total Debt Service	Fiscal Total	2.68709% Present Value Debt Service
06/01/10			\$9,456.25	\$9,456.25	\$9,456.25	\$9,422.66
12/01/10	\$50,000.00	5.500%	9,456.25	59,456.25		58,459.59
06/01/11			8,081.25	8,081.25	67,537.50	7,840.45
12/01/11	50,000.00	5.500%	8,081.25	58,081.25		55,603.49
06/01/12			6,706.25	6,706.25	64,787.50	6,335.05
12/01/12	55,000.00	5.550%	6,706.25	61,706.25		57,517.90
06/01/13			5,180.00	5,180.00	66,886.25	4,764.39
12/01/13	60,000.00	5.600%	5,180.00	65,180.00		59,155.62
06/01/14			3,500.00	3,500.00	68,680.00	3,134.39
12/01/14	60,000.00	5.600%	3,500.00	63,500.00		56,112.96
06/01/15			1,820.00	1,820.00	65,320.00	1,586.96
12/01/15	65,000.00	5.600%	1,820.00	66,820.00	66,820.00	57,491.51
	<u>\$340,000.00</u>		<u>\$69,487.50</u>	<u>\$409,487.50</u>	<u>\$409,487.50</u>	<u>\$377,424.97</u>

REDEMPTION SCHEDULE

Redemption Premium: 0.00%

Date	Principal	Interest	Redeemed Principal	Redemption Premium	Total Debt Service	Fiscal Total	2.68709% Present Value
06/01/10	\$0.00	\$9,456.25	\$340,000.00	\$0.00	\$349,456.25	\$349,456.25	\$348,214.77
	<u>\$0.00</u>	<u>\$9,456.25</u>	<u>\$340,000.00</u>	<u>\$0.00</u>	<u>\$349,456.25</u>	<u>\$349,456.25</u>	<u>\$348,214.77</u>



\$305,000
City of Portage
General Obligation Limited Tax City Share Bonds, Series 1997

REMAINING ORIGINAL DEBT SERVICE SCHEDULE

Date	Principal	Coupon	Interest	Total Debt Service	Fiscal Total	2.68709% Present Value Debt Service
06/01/10			\$3,347.50	\$3,347.50	\$3,347.50	\$3,335.61
12/01/10	\$15,000.00	5.100%	3,347.50	18,347.50		18,039.94
06/01/11			2,965.00	2,965.00	21,312.50	2,876.65
12/01/11	15,000.00	5.200%	2,965.00	17,965.00		17,198.61
06/01/12			2,575.00	2,575.00	20,540.00	2,432.47
12/01/12	15,000.00	5.300%	2,575.00	17,575.00		16,382.09
06/01/13			2,177.50	2,177.50	19,752.50	2,002.79
12/01/13	15,000.00	5.350%	2,177.50	17,177.50		15,589.84
06/01/14			1,776.25	1,776.25	18,953.75	1,590.71
12/01/14	15,000.00	5.400%	1,776.25	16,776.25		14,824.65
06/01/15			1,371.25	1,371.25	18,147.50	1,195.67
12/01/15	15,000.00	5.450%	1,371.25	16,371.25		14,085.72
06/01/16			962.50	962.50	17,333.75	817.15
12/01/16	15,000.00	5.500%	962.50	15,962.50		13,372.30
06/01/17			550.00	550.00	16,512.50	454.64
12/01/17	20,000.00	5.500%	550.00	20,550.00	20,550.00	16,761.96
	<u>\$125,000.00</u>		<u>\$31,450.00</u>	<u>\$156,450.00</u>	<u>\$156,450.00</u>	<u>\$140,960.78</u>

REDEMPTION SCHEDULE

Redemption Premium: 0.00%

Date	Principal	Interest	Redeemed Principal	Redemption Premium	Total Debt Service	Fiscal Total	2.68709% Present Value
06/01/10	\$0.00	\$3,347.50	\$125,000.00	\$0.00	\$128,347.50	\$128,347.50	\$127,891.53
	<u>\$0.00</u>	<u>\$3,347.50</u>	<u>\$125,000.00</u>	<u>\$0.00</u>	<u>\$128,347.50</u>	<u>\$128,347.50</u>	<u>\$127,891.53</u>



\$605,000
City of Portage
General Obligation Limited Tax City Share Bonds, Series 1998

REMAINING ORIGINAL DEBT SERVICE SCHEDULE

Date	Principal	Coupon	Interest	Total Debt Service	Fiscal Total	2.68709% Present Value Debt Service
06/01/10			\$5,942.50	\$5,942.50	\$5,942.50	\$5,921.39
12/01/10	\$20,000.00	4.500%	5,942.50	25,942.50		25,507.63
06/01/11			5,492.50	5,492.50	31,435.00	5,328.83
12/01/11	25,000.00	4.600%	5,492.50	30,492.50		29,191.68
06/01/12			4,917.50	4,917.50	35,410.00	4,645.31
12/01/12	25,000.00	4.700%	4,917.50	29,917.50		27,886.83
06/01/13			4,330.00	4,330.00	34,247.50	3,982.59
12/01/13	25,000.00	4.800%	4,330.00	29,330.00		26,619.12
06/01/14			3,730.00	3,730.00	33,060.00	3,340.37
12/01/14	25,000.00	4.900%	3,730.00	28,730.00		25,387.80
06/01/15			3,117.50	3,117.50	31,847.50	2,718.32
12/01/15	30,000.00	4.950%	3,117.50	33,117.50		28,494.09
06/01/16			2,375.00	2,375.00	35,492.50	2,016.34
12/01/16	30,000.00	5.000%	2,375.00	32,375.00		27,121.57
06/01/17			1,625.00	1,625.00	34,000.00	1,343.27
12/01/17	30,000.00	5.000%	1,625.00	31,625.00		25,795.47
06/01/18			875.00	875.00	32,500.00	704.25
12/01/18	35,000.00	5.000%	875.00	35,875.00	35,875.00	28,491.32
	<u>\$245,000.00</u>		<u>\$64,810.00</u>	<u>\$309,810.00</u>	<u>\$309,810.00</u>	<u>\$274,496.18</u>

REDEMPTION SCHEDULE

Redemption Premium: 0.00%

Date	Principal	Interest	Redeemed Principal	Redemption Premium	Total Debt Service	Fiscal Total	2.68709% Present Value
06/01/10	\$0.00	\$5,942.50	\$245,000.00	\$0.00	\$250,942.50	\$250,942.50	\$250,051.00
	<u>\$0.00</u>	<u>\$5,942.50</u>	<u>\$245,000.00</u>	<u>\$0.00</u>	<u>\$250,942.50</u>	<u>\$250,942.50</u>	<u>\$250,051.00</u>



\$1,370,000
City of Portage
General Obligation Limited Tax City Share Bonds, Series 1999

REMAINING ORIGINAL DEBT SERVICE SCHEDULE

Date	Principal	Coupon	Interest	Total Debt Service	Fiscal Total	2.68709% Present Value Debt Service
06/01/10			\$7,500.00	\$7,500.00	\$7,500.00	\$7,473.36
12/01/10	\$35,000.00	5.200%	7,500.00	42,500.00		41,787.58
06/01/11			6,590.00	6,590.00	49,090.00	6,393.63
12/01/11	35,000.00	5.300%	6,590.00	41,590.00		39,815.76
06/01/12			5,662.50	5,662.50	47,252.50	5,349.07
12/01/12	25,000.00	5.400%	5,662.50	30,662.50		28,581.26
06/01/13			4,987.50	4,987.50	35,650.00	4,587.34
12/01/13	25,000.00	5.500%	4,987.50	29,987.50		27,215.85
06/01/14			4,300.00	4,300.00	34,287.50	3,850.83
12/01/14	25,000.00	5.600%	4,300.00	29,300.00		25,891.49
06/01/15			3,600.00	3,600.00	32,900.00	3,139.03
12/01/15	25,000.00	5.700%	3,600.00	28,600.00		24,607.26
06/01/16			2,887.50	2,887.50	31,487.50	2,451.45
12/01/16	25,000.00	5.750%	2,887.50	27,887.50		23,362.25
06/01/17			2,168.75	2,168.75	30,056.25	1,792.74
12/01/17	25,000.00	5.750%	2,168.75	27,168.75		22,160.65
06/01/18			1,450.00	1,450.00	28,618.75	1,167.04
12/01/18	25,000.00	5.800%	1,450.00	26,450.00		21,006.14
06/01/19			725.00	725.00	27,175.00	568.15
12/01/19	25,000.00	5.800%	725.00	25,725.00	25,725.00	19,892.25
	<u>\$270,000.00</u>		<u>\$79,742.50</u>	<u>\$349,742.50</u>	<u>\$349,742.50</u>	<u>\$311,093.14</u>

REDEMPTION SCHEDULE

Redemption Premium: 0.00%

Date	Principal	Interest	Redeemed Principal	Redemption Premium	Total Debt Service	Fiscal Total	2.68709% Present Value
06/01/10	\$0.00	\$7,500.00	\$270,000.00	\$0.00	\$277,500.00	\$277,500.00	\$276,514.15
	<u>\$0.00</u>	<u>\$7,500.00</u>	<u>\$270,000.00</u>	<u>\$0.00</u>	<u>\$277,500.00</u>	<u>\$277,500.00</u>	<u>\$276,514.15</u>



\$960,000
City of Portage
General Obligation Limited Tax City Share Bonds, Series 2000

REMAINING ORIGINAL DEBT SERVICE SCHEDULE

Date	Principal	Coupon	Interest	Total Debt Service	Fiscal Total	2.68709% Present Value Debt Service
06/01/10			\$7,317.50	\$7,317.50	\$7,317.50	\$7,291.50
12/01/10	\$75,000.00	4.900%	7,317.50	82,317.50		80,937.62
06/01/11			5,480.00	5,480.00	87,797.50	5,316.71
12/01/11	30,000.00	5.000%	5,480.00	35,480.00		33,966.41
06/01/12			4,730.00	4,730.00	40,210.00	4,468.18
12/01/12	20,000.00	5.000%	4,730.00	24,730.00		23,051.44
06/01/13			4,230.00	4,230.00	28,960.00	3,890.61
12/01/13	20,000.00	5.100%	4,230.00	24,230.00		21,990.50
06/01/14			3,720.00	3,720.00	27,950.00	3,331.41
12/01/14	20,000.00	5.150%	3,720.00	23,720.00		20,960.62
06/01/15			3,205.00	3,205.00	26,925.00	2,794.61
12/01/15	20,000.00	5.200%	3,205.00	23,205.00		19,965.44
06/01/16			2,685.00	2,685.00	25,890.00	2,279.53
12/01/16	20,000.00	5.250%	2,685.00	22,685.00		19,003.95
06/01/17			2,160.00	2,160.00	24,845.00	1,785.51
12/01/17	20,000.00	5.300%	2,160.00	22,160.00		18,075.18
06/01/18			1,630.00	1,630.00	23,790.00	1,311.91
12/01/18	20,000.00	5.350%	1,630.00	21,630.00		17,178.18
06/01/19			1,095.00	1,095.00	22,725.00	858.10
12/01/19	20,000.00	5.450%	1,095.00	21,095.00		16,312.03
06/01/20			550.00	550.00	21,645.00	419.66
12/01/20	20,000.00	5.500%	550.00	20,550.00	20,550.00	15,472.06
	<u>\$285,000.00</u>		<u>\$73,605.00</u>	<u>\$358,605.00</u>	<u>\$358,605.00</u>	<u>\$320,661.18</u>

REDEMPTION SCHEDULE

Redemption Premium: 0.00%

Date	Principal	Interest	Redeemed Principal	Redemption Premium	Total Debt Service	Fiscal Total	2.68709% Present Value
06/01/10	\$0.00	\$7,317.50	\$285,000.00	\$0.00	\$292,317.50	\$292,317.50	\$291,279.01
	<u>\$0.00</u>	<u>\$7,317.50</u>	<u>\$285,000.00</u>	<u>\$0.00</u>	<u>\$292,317.50</u>	<u>\$292,317.50</u>	<u>\$291,279.01</u>



\$2,450,000
City of Portage
General Obligation Limited Tax City Share Bonds, Series 2002

REMAINING ORIGINAL DEBT SERVICE SCHEDULE

Date	Principal	Coupon	Interest	Total Debt Service	Fiscal Total	2.68709% Present Value Debt Service
06/01/10			\$23,841.88	\$23,841.88	\$23,841.88	\$23,757.17
12/01/10	\$180,000.00	3.500%	23,841.88	203,841.88		200,424.90
06/01/11			20,691.88	20,691.88	224,533.75	20,075.30
12/01/11	180,000.00	3.650%	20,691.88	200,691.88		192,130.30
06/01/12			17,406.88	17,406.88	218,098.75	16,443.37
12/01/12	180,000.00	3.750%	17,406.88	197,406.88		184,007.76
06/01/13			14,031.88	14,031.88	211,438.75	12,906.05
12/01/13	65,000.00	3.850%	14,031.88	79,031.88		71,727.21
06/01/14			12,780.63	12,780.63	91,812.50	11,445.58
12/01/14	65,000.00	4.000%	12,780.63	77,780.63		68,732.30
06/01/15			11,480.63	11,480.63	89,261.25	10,010.57
12/01/15	65,000.00	4.100%	11,480.63	76,480.63		65,803.46
06/01/16			10,148.13	10,148.13	86,628.75	8,615.63
12/01/16	65,000.00	4.200%	10,148.13	75,148.13		62,953.99
06/01/17			8,783.13	8,783.13	83,931.25	7,260.36
12/01/17	65,000.00	4.250%	8,783.13	73,783.13		60,182.46
06/01/18			7,401.88	7,401.88	81,185.00	5,957.42
12/01/18	65,000.00	4.375%	7,401.88	72,401.88		57,500.35
06/01/19			5,980.00	5,980.00	78,381.88	4,686.25
12/01/19	65,000.00	4.500%	5,980.00	70,980.00		54,886.37
06/01/20			4,517.50	4,517.50	75,497.50	3,446.91
12/01/20	65,000.00	4.500%	4,517.50	69,517.50		52,339.60
06/01/21			3,055.00	3,055.00	72,572.50	2,269.61
12/01/21	65,000.00	4.650%	3,055.00	68,055.00		49,888.92
06/01/22			1,543.75	1,543.75	69,598.75	1,116.67
12/01/22	65,000.00	4.750%	1,543.75	66,543.75	66,543.75	47,496.23
	<u>\$1,190,000.00</u>		<u>\$283,326.25</u>	<u>\$1,473,326.25</u>	<u>\$1,473,326.25</u>	<u>\$1,296,064.77</u>

REDEMPTION SCHEDULE

Redemption Premium: 0.00%

Date	Principal	Interest	Redeemed Principal	Redemption Premium	Total Debt Service	Fiscal Total	2.68709% Present Value
06/01/10	\$0.00	\$23,841.88	\$1,190,000.00	\$0.00	\$1,213,841.88	\$1,213,841.88	\$1,209,529.57
	<u>\$0.00</u>	<u>\$23,841.88</u>	<u>\$1,190,000.00</u>	<u>\$0.00</u>	<u>\$1,213,841.88</u>	<u>\$1,213,841.88</u>	<u>\$1,209,529.57</u>



City of Portage
 General Obligation Limited Tax City Share Bonds
 Series 1995, 1997, 1998, 1999, 2000 & 2002

COMBINED REMAINING ORIGINAL DEBT SERVICE SCHEDULE

Date	Series 1995	Series 1997	Series 1998	Series 1999	Series 2000	Series 2002	Combined		2.68709% Present Value Debt Service
							Total Debt Service	Fiscal Total	
06/01/10	\$9,456.25	\$3,347.50	\$5,942.50	\$7,500.00	\$7,317.50	\$23,841.88	\$57,405.63	\$57,405.63	\$57,201.69
12/01/10	59,456.25	18,347.50	25,942.50	42,500.00	82,317.50	203,841.88	432,405.63	432,405.63	425,157.27
06/01/11	8,081.25	2,965.00	5,492.50	6,590.00	5,480.00	20,691.88	49,300.63	481,706.25	47,831.57
12/01/11	58,081.25	17,965.00	30,492.50	41,590.00	35,480.00	200,691.88	384,300.63	384,300.63	367,906.25
06/01/12	6,706.25	2,575.00	4,917.50	5,662.50	4,730.00	17,406.88	41,998.13	426,298.75	39,673.44
12/01/12	61,706.25	17,575.00	29,917.50	30,662.50	24,730.00	197,406.88	361,998.13	361,998.13	337,427.28
06/01/13	5,180.00	2,177.50	4,330.00	4,987.50	4,230.00	14,031.88	34,936.88	396,935.00	32,133.78
12/01/13	65,180.00	17,177.50	29,330.00	29,987.50	24,230.00	79,031.88	244,936.88	274,743.75	222,298.15
06/01/14	3,500.00	1,776.25	3,730.00	4,300.00	3,720.00	12,780.63	29,806.88	29,806.88	26,693.29
12/01/14	63,500.00	16,776.25	28,730.00	29,300.00	23,720.00	77,780.63	239,806.88	239,806.88	211,909.83
06/01/15	1,820.00	1,371.25	3,117.50	3,600.00	3,205.00	11,480.63	24,594.38	264,401.25	21,445.15
12/01/15	66,820.00	16,371.25	33,117.50	28,600.00	23,205.00	76,480.63	244,594.38	263,652.50	210,447.49
06/01/16		962.50	2,375.00	2,887.50	2,685.00	10,148.13	19,058.13	189,345.00	16,180.11
12/01/16		15,962.50	32,375.00	27,887.50	22,685.00	75,148.13	174,058.13	189,345.00	145,814.05
06/01/17		550.00	1,625.00	2,168.75	2,160.00	8,783.13	15,286.88	189,345.00	12,636.53
12/01/17		20,550.00	31,625.00	27,168.75	22,160.00	73,783.13	175,286.88	189,345.00	142,975.72
06/01/18			875.00	1,450.00	1,630.00	7,401.88	11,356.88	186,643.75	9,140.62
12/01/18			35,875.00	26,450.00	21,630.00	72,401.88	156,356.88	186,643.75	124,176.00
06/01/19				725.00	1,095.00	5,980.00	7,800.00	164,156.88	6,112.50
12/01/19				25,725.00	21,095.00	70,980.00	117,800.00	164,156.88	91,090.64
06/01/20					550.00	4,517.50	5,067.50	122,867.50	3,866.57
12/01/20					20,550.00	69,517.50	90,067.50	122,867.50	67,811.66
06/01/21						3,055.00	3,055.00	93,122.50	2,269.61
12/01/21						68,055.00	68,055.00	93,122.50	49,888.92
06/01/22						1,543.75	1,543.75	69,598.75	1,116.67
12/01/22						66,543.75	66,543.75	69,598.75	47,496.23
	<u>\$409,487.50</u>	<u>\$156,450.00</u>	<u>\$309,810.00</u>	<u>\$349,742.50</u>	<u>\$358,605.00</u>	<u>\$1,473,326.25</u>	<u>\$3,057,421.25</u>	<u>\$3,057,421.25</u>	<u>\$2,720,701.02</u>



City of Portage
General Obligation Limited Tax City Share Bonds
Series 1995, 1997, 1998, 1999, 2000 & 2002

COMBINED REDEMPTION SCHEDULE

Redemption Premium: 0.00%

<u>Date</u>	<u>Combined Principal</u>	<u>Combined Interest</u>	<u>Combined Redeemed Principal</u>	<u>Combined Redemption Premium</u>	<u>Combined Total Debt Service</u>	<u>Combined Fiscal Total</u>	<u>2.68709% Present Value</u>
06/01/10	\$0.00	\$57,405.63	\$2,455,000.00	\$0.00	\$2,512,405.63	\$2,512,405.63	\$2,503,480.02
	<u>\$0.00</u>	<u>\$57,405.63</u>	<u>\$2,455,000.00</u>	<u>\$0.00</u>	<u>\$2,512,405.63</u>	<u>\$2,512,405.63</u>	<u>\$2,503,480.02</u>



City of Portage
General Obligation Limited Tax City Share Bonds
Series 1995, 1997, 1998, 1999, 2000 & 2002

ESCROW CASH FLOW ANALYSIS

April 13, 2010 Beginning Cash Balance: \$0.67

Date	Beginning Cash Balance	SLGS Principal	SLGS Rate	SLGS Available *	Rates	SLGS Interest	Total	Combined Debt Service	Net Cash Flow	Ending Cash Balance	Present Value
04/13/10	\$0.67									\$0.67	
06/01/10	0.67	\$2,512,034.00	0.110%	0.110%		\$370.96	\$2,512,404.96	\$2,512,405.63	-\$0.67	0.00	\$2,512,034.00
		<u>\$2,512,034.00</u>				<u>\$370.96</u>	<u>\$2,512,404.96</u>	<u>\$2,512,405.63</u>			<u>\$2,512,034.00</u>

* March 23, 2010 SLGS Rate Table.

Total Cost of Escrow Securities: \$2,512,034.67

M E M O R A N D U M

TO: Maurice Evans, City Manager
Daniel Foecking, City Finance Director

FROM: Meredith A. Shanle, President
Municipal Financial Consultants Incorporated

RE: City of Portage General Obligation Limited Tax City
Share Refunding Bonds, Series 2010

DATE: March 23, 2010

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We are enclosing herewith the report of proposals on the bond sale. As you can see the low proposer for the captioned refunding bonds was **Wells Fargo Advisors**.

We were delighted with the good proposals and recommend awarding the bonds to the low proposer.

The final savings information on the captioned refunding bonds has been confirmed with the Purchaser and reviewed with the Escrow Verification Agent.

As you can see, the net savings is \$77,608.00 and the present value savings is \$134,104.44.

Also attached hereto please find a Final Refunding Summary Sheet for the bond issue setting forth the amount of the bond issue and the various basic information which was included when the original estimates were done.

Enclosures

cc: Portage City Council

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FINAL REFUNDING SUMMARY SHEET

CITY OF PORTAGE GENERAL OBLIGATION LIMITED TAX CITY SHARE
REFUNDING BONDS, SERIES 2010

ACTUAL REFUNDING BOND ISSUE:	\$2,575,000.00
1995 BONDS BEING REFUNDED:	City of Portage General Obligation Limited Tax City Share Bonds, Series 1995 Dated November 1, 1995
PRINCIPAL AMOUNT BEING REFUNDED:	\$340,000
1997 BONDS BEING REFUNDED:	City of Portage General Obligation Limited Tax City Share Bonds, Series 1997 Dated November 1, 1997
PRINCIPAL AMOUNT BEING REFUNDED:	\$125,000
1998 BONDS BEING REFUNDED:	City of Portage General Obligation Limited Tax City Share Bonds, Series 1998 Dated November 1, 1998
PRINCIPAL AMOUNT BEING REFUNDED:	\$245,000
1999 BONDS BEING REFUNDED:	City of Portage General Obligation Limited Tax City Share Bonds, Series 1999 Dated November 1, 1999
PRINCIPAL AMOUNT BEING REFUNDED:	\$270,000
2000 BONDS BEING REFUNDED:	City of Portage General Obligation Limited Tax City Share Bonds, Series 2000 Dated November 1, 2000
PRINCIPAL AMOUNT BEING REFUNDED:	\$285,000
2002 BONDS BEING REFUNDED:	City of Portage General Obligation Limited Tax City Share Bonds, Series 2002 Dated September 1, 2002
PRINCIPAL AMOUNT BEING REFUNDED:	\$1,190,000

ACTUAL AMOUNT TO BE DEPOSITED WITH ESCROW AGENT:	\$2,512,034.67
ACTUAL COST OF ISSUANCE:	\$ 53,251.94
ACTUAL UNDERWRITER'S DISCOUNT:	\$ 9,713.39
ACTUAL ACCRUED INTEREST:	\$ 2,108.00
ACTUAL NET SAVINGS:	\$ 77,608.00
ACTUAL PRESENT VALUE SAVINGS:	\$ 134,104.44
PERCENT OF REFUNDED PAR:	5.463%

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\$2,595,000
 CITY OF PORTAGE GENERAL OBLIGATION LIMITED TAX CITY SHARE
 REFUNDING BONDS, SERIES 2010

Sale Date: March 23, 2010	Good Faith Check: \$51,900
Time: 11:30 a.m. EST	Discount: \$25,950
Dated: April 1, 2010	Maximum Interest: 7.0%

Maturities - Due December 1

<u>YEAR</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>AMOUNT</u>
2010	\$290,000	2015	\$265,000	2019	\$155,000
2011	255,000	2016	195,000	2020	130,000
2012	275,000	2017	205,000	2021	110,000
2013	155,000	2018	190,000	2022	115,000
2014	255,000				

Proposer: Wells Fargo Advisors

2010	2.000%	2017	2.800%		
2011	2.000%	2018	3.000%	Discount:	\$9,932.85
2012	2.000%	2019	3.250%		
2013	2.000%	2020	3.375%		
2014	2.000%	2021	3.625%	True Int Rate:	2.859300%
2015	2.000%	2022	3.750%		
2016	2.500%				

Proposer: Chemical Bank

2010	1.40%	2017	3.00%		
2011	1.70%	2018	3.10%		
2012	2.00%	2019	3.20%		
2013	2.30%	2020	3.25%		
2014	2.50%	2021	3.30%	True Int Rate:	2.8812%
2015	2.70%	2022	3.35%		
2016	2.90%				

Bond Counsel
 AXE & ECKLUND, P.C.
 Grosse Pointe Farms, Michigan 48236

\$6,725,000
 CITY OF PORTAGE GENERAL OBLIGATION LIMITED TAX CITY SHARE
 REFUNDING BONDS, SERIES 2010

Proposer: Fifth Third Securities, Inc.

2010	2.00%	2017	3.50%		
2011	2.00%	2018	4.00%	Premium:	\$57,687.15
2012	2.00%	2019	4.00%		
2013	2.00%	2020	4.00%		
2014	3.00%	2021	4.00%	True Int Rate:	2.945841%
2015	3.00%	2022	4.00%		
2016	3.00%				

Proposer: Robert W. Baird & Co., Inc.

2010	2.00%	2017	3.50%		
2011	2.00%	2018	4.00%	Premium:	\$55,912.00
2012	3.00%	2019	4.00%		
2013	3.00%	2020	4.00%		
2014	3.00%	2021	4.00%	True Int Rate:	3.051104%
2015	3.00%	2022	4.00%		
2016	3.00%				

Proposer: Hutchinson, Shockey, Erley & Co.

2010	2.00%	2017	3.25%		
2011	2.00%	2018	3.50%	Discount:	\$4,827.05
2012	2.00%	2019	4.00%		
2013	2.00%	2020	4.00%		
2014	2.25%	2021	4.00%	True Int Rate:	3.223151%
2015	2.50%	2022	4.00%		
2016	3.00%				

Proposer: PNC Capital Markets

2010	2.00%	2017	3.00%		
2011	2.00%	2018	3.25%	Discount:	\$25,709.00
2012	2.00%	2019	3.75%*		
2013	2.00%	2020	3.75%*		
2014	2.25%	2021	3.75%*	True Int Rate:	3.239524%
2015	2.50%	2022	3.75%*		
2016	3.00%				

*Term Bonds

Bond Counsel
 AXE & ECKLUND, P.C.
 Grosse Pointe Farms, Michigan 48236

FINAL MATURITIES AND INTEREST RATES

§
 CITY OF PORTAGE
 Kalamazoo County, Michigan
 CITY OF PORTAGE GENERAL OBLIGATION LIMITED TAX CITY SHARE
 REFUNDING BONDS, SERIES 2010

The City of Portage as authorized in the Refunding Bond Resolution for the above referenced refunding bonds previously adopted by the City of Portage, hereby establishes the final maturities for the above captioned refunding bond issue with interest rates thereon as follows:

<u>Due Dec. 1</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2010	\$290,000	2.000%
2011	255,000	2.000
2012	275,000	2.000
2013	155,000	2.000
2014	255,000	2.000
2015	265,000	2.000
2016	195,000	2.500
2017	205,000	2.800
2018	190,000	3.000
2019	150,000	3.250
2020	125,000	3.375
2021	105,000	3.625
2022	110,000	3.750

Dated: March 23, 2010

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REQUEST FOR PROPOSAL
\$2,595,000*
CITY OF PORTAGE GENERAL OBLIGATION LIMITED TAX CITY SHARE
REFUNDING BONDS, SERIES 2010

*Subject to Adjustment

SEALED OR ELECTRONIC PROPOSALS: Sealed written proposals for the purchase of the refunding bonds described herein (the "Refunding Bonds") will be received by the undersigned, on behalf of the City of Portage (the "City"), at the office of the Finance Director, City Hall, 7900 South Westnedge Avenue, Portage, Michigan 49002, on March 23, 2010, until 11:30 a.m., Eastern Daylight Savings Time, at which time and place the proposals will be publicly opened and read.

In the alternative, sealed written proposals will also be received on the same date and until the same time by an agent of the undersigned at the office of the Municipal Advisory Council of Michigan, Buhl Building, 535 Griswold, Suite 1850, Detroit, Michigan, 48226, where they will be publicly opened simultaneously. Proposals received at Portage, Michigan will be read first followed by the proposals received at the alternate location. Proposers may choose either location to present proposals and good faith checks, but not both locations.

Any proposer may submit a proposal in person to either proposing location. However, no proposer is authorized to submit a FAX proposal to Portage, Michigan.

Also in the alternative, electronic proposals will also be received on the same date and until the same time by an agent of the undersigned Bidcomp/Parity. Further information about Bidcomp/Parity, including any fee charged, may be obtained from Bidcomp/Parity, Eric Washington, 1359 Broadway, 2nd Floor, New York, New York, 10018, (212) 849-5021.

If any provision of this Request for Proposal shall conflict with information provided by Bidcomp/Parity as the approved provider of electronic proposing services, this Request for Proposal shall control.

The Refunding Bonds will be awarded or all proposals will be rejected by the City Council at a meeting to be held within twenty-four hours of the sale.

BOND DETAILS: The Refunding Bonds will be dated April 1, 2010 and will be known as the "City of Portage General Obligation Limited Tax City Share Refunding Bonds, Series 2010". The Refunding Bonds will be fully registered Refunding Bonds in any one or more denominations of \$5,000 or a multiple of \$5,000, numbered from 1 upwards and will bear interest from their date payable December 1, 2010 and semi-annually thereafter until

maturity. The Refunding Bonds will mature on the 1st day of December in each year as follows:

<u>YEAR</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>AMOUNT</u>
2010	\$290,000	2015	\$265,000	2019	\$155,000
2011	255,000	2016	195,000	2020	130,000
2012	275,000	2017	205,000	2021	110,000
2013	155,000	2018	190,000	2022	115,000
2014	255,000				

PRIOR REDEMPTION: The Refunding Bonds shall not be subject to redemption prior to maturity.

INTEREST RATE AND PROPOSING DETAILS: The Refunding Bonds shall bear interest at a rate or rates not exceeding 7.0% per annum, to be fixed by the proposals therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one Refunding Bond shall be at one rate only. All Refunding Bonds maturing in any one year must carry the same interest rate. THE INTEREST RATE BORNE BY REFUNDING BONDS MATURING IN ANY YEAR SHALL NOT BE LESS THAN THE INTEREST RATE BORNE BY REFUNDING BONDS MATURING IN ANY PRECEDING YEAR. No proposal for the purchase of less than all of the Refunding Bonds or at a price that is less than 99% of their par value will be considered.

TERM BOND OPTION: Refunding Bonds maturing in the years 2015-2022, inclusive, are eligible for designation by the original purchaser at the time of sale as Serial Refunding Bonds or Term Refunding Bonds, or both. There may be more than one Term Refunding Bond maturity. However, principal maturities designated as Term Refunding Bonds shall be subject to mandatory redemption, in part, by lot, at par and accrued interest on December 1st of the year in which the Refunding Bonds are presently scheduled to mature. Each maturity of Term Refunding Bonds and Serial Refunding Bonds must carry the same interest rate. Any such designation must be made at the time the proposals are submitted.

BOOK-ENTRY-ONLY: The Refunding Bonds will be issued in book-entry-only form as one fully-registered bond per maturity and will be registered in the name of Cede & Co., as nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the Refunding Bonds. Purchase of the Refunding Bonds will be made in book-entry-only form, in the denomination of \$5,000 or any multiple thereof. Purchasers will not receive certificates representing their interest in Refunding Bonds purchased. The book-entry-only system is described further in the nearly final official statement for the Refunding Bonds.

BOND REGISTRAR, PAYING AGENT AND DATE OF RECORD: The Bank of New York Mellon Trust Company, N.A., Detroit, Michigan, has been selected as paying agent and bond registrar (the "Bond Registrar") for the Refunding Bonds. The Bond Registrar will

keep records of the registered holders of the Refunding Bonds, serve as transfer agent for the Refunding Bonds, authenticate the original and any re-issued refunding bonds and pay interest by check or draft mailed to the registered holders of the Refunding Bonds as shown on the registration books of the City kept by the Bond Registrar on the applicable date of record. The date of record for each interest payment shall be the 15th day of the month before such payment is due. The principal of and redemption premium, if any, on the Refunding Bonds will be paid when due upon presentation and surrender thereof to the Bond Registrar. As long as DTC, or its nominee Cede & Co., is the registered owner of the Refunding Bonds, payments will be made directly to such registered owner. Disbursement of such payments to DTC participants is the responsibility of DTC and disbursement of such payments to the beneficial owners of the Refunding Bonds is the responsibility of DTC participants and indirect participants as described in the nearly final official statement for the Refunding Bonds. The City may from time to time as required designate a successor bond registrar and paying agent.

PURPOSE AND SECURITY: The Refunding Bonds are being issued pursuant to Act No. 34, Public Acts of Michigan, 2001, as amended ("Act 34"), and the Refunding Bond Resolution, as amended, adopted by the City Council for the purpose of refunding the outstanding City of Portage General Obligation Limited Tax City Share Refunding Bonds, Series 1995, dated as of November 1, 1995 (the "1995 Bonds"), in the original principal amount of \$805,000, the refunding of the outstanding City of Portage General Obligation Limited Tax City Share Bonds, Series 1997, dated as of November 1, 1997 (the "1997 Bonds"), in the original principal amount of \$305,000, the refunding of the outstanding City of Portage General Obligation Limited Tax City Share Bonds, Series 1998, dated as of November, 1, 1998 (the "1998 Bonds"), in the original principal amount of \$605,000, the refunding of the outstanding City of Portage General Obligation Limited Tax City Share Bonds, Series 1999, dated as of November, 1, 1999 (the "1999 Bonds"), in the original principal amount of \$1,370,000, the refunding of the outstanding City of Portage General Obligation Limited Tax City Share Bonds, Series 2000, dated as of November, 1, 2000 (the "2000 Bonds"), in the original principal amount of \$960,000, and the refunding of the outstanding City of Portage General Obligation Limited Tax City Share Bonds, Series 2002, dated as of September, 1, 2002 (the "2002 Bonds"), in the original principal amount of \$2,450,000 (together the "Prior Bonds"). the principal of and interest on the Refunding Bonds are payable primarily out of the collection of a portion of the capital improvements taxes levied for each year through and including the year ending June 30, 2022, in anticipation of which the Refunding Bonds are to be issued. In addition, the full faith and credit of the City are irrevocably pledged to the prompt payment of the principal of and interest on the Refunding Bonds when due. If the foregoing collections shall not be sufficient to pay the principal of and interest on the Refunding Bonds as the same shall become due, then moneys sufficient to

meet such deficiency shall be advanced from the general funds of the City. The City's ability to raise such funds is subject to applicable constitutional, statutory and charter limitations on the taxing power of the City.

BOND INSURANCE AT PURCHASER'S OPTION: If the Refunding Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the proposer/purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the option and expense of the purchaser of the Refunding Bonds. Any increased costs of issuance of the Refunding Bonds resulting from such purchase of insurance shall be paid by the purchaser. Any additional rating agency fees shall be the responsibility of the purchaser. FAILURE OF THE MUNICIPAL BOND INSURER TO ISSUE THE POLICY AFTER THE REFUNDING BONDS HAVE BEEN AWARDED TO THE PURCHASER SHALL NOT CONSTITUTE CAUSE FOR FAILURE OR REFUSAL BY THE PURCHASER TO ACCEPT DELIVERY OF THE REFUNDING BONDS FROM THE CITY.

ESCROW AGENT: Proceeds from the Refunding Bonds will be transferred to The Bank of New York Mellon Trust Company, N.A., Detroit, Michigan, as escrow agent (the "Escrow Agent") under an escrow agreement (the "Agreement"), who will use such proceeds to acquire investment obligations sufficient to pay principal of, premium, if any, and interest on the Refunded Bonds when due or upon the first permissible redemption date for the Refunded Bonds.

ADJUSTMENT IN PRINCIPAL AMOUNT: The aggregate principal amount of this issue has been determined as the amount necessary to retire the Refunded Bonds and pay a portion or all of the costs of issuance of the Refunding Bonds, assuming certain conditions and events exist on the date of sale. The City reserves the right, following receipt of proposals and prior to final award, to increase or decrease the aggregate principal amount of the Refunding Bonds by any amount which will allow for the City to achieve present value debt service savings. The increase or decrease will be in increments of \$5,000 and may be made in any maturity or maturities. The purchase price will be adjusted proportionately to the reduction in issue size, but the interest rates specified by the successful proposer for all maturities will not change. The successful proposer may not withdraw the proposal as a result of any changes made within these limits.

If no proposal results in debt service savings acceptable to the City when the proceeds are used to provide for the refunding of the Refunded Bonds, the City may reject all proposals and negotiate with one or more of the proposers for the sale of the bonds on terms which will enable the City to achieve debt service savings acceptable to the City.

ADJUSTMENT IN DISCOUNT OR PREMIUM: In the event the principal amount of this issue is increased or decreased, the discount or

premium proposal, if any, will be adjusted so that it is the same percent as the discount or premium originally proposed.

GOOD FAITH: A certified or cashier's check drawn upon an incorporated bank or trust company or a wire transfer in an amount equal to 2% (\$51,900) of the face amount of the Refunding Bonds, and payable to the order of the City will be required of the successful proposer as a guarantee of good faith on the part of the proposer, to be forfeited as liquidated damages if such proposal be accepted and the proposer fails to take up and pay for the Bonds. If a check is used, it must accompany each proposal. If a wire transfer is used, the successful proposer is required to wire the good faith deposit not later than Noon, prevailing Eastern Time, on the next business day following the sale using the wire instructions provided by Municipal Financial Consultants Incorporated. The good faith deposit will be applied to the purchase price of the Bonds. No interest shall be allowed on the good faith checks, and checks of each unsuccessful proposer will be promptly returned to such proposer's representative or by registered mail. The good faith check of the successful proposer will be cashed immediately, in which event, payment of the balance of the purchase price of the Bonds shall be made at the closing.

AWARD OF THE REFUNDING BONDS - TRUE INTEREST COST: The Refunding Bonds will be awarded to the proposer whose proposal produces the lowest true interest cost determined in the following manner: the lowest true interest cost will be the single interest rate (compounded on December 1, 2010 and semi-annually thereafter) necessary to discount the debt service payments from their respective payment dates to April 1, 2010 in an amount equal to the price proposed, excluding accrued interest. April 13, 2010 is the anticipated date of delivery of the Refunding Bonds.

LEGAL OPINION: Proposals shall be conditioned upon the approving opinion of Axe & Ecklund, P.C., attorneys of Grosse Pointe Farms, Michigan (the "Bond Counsel") a copy of which opinion will be printed on the reverse side of each bond and the original of which will be furnished without expense to the purchaser of the Refunding Bonds at the delivery thereof. The fees of Bond Counsel for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue such opinion and as described in the official statement, Bond Counsel has not been requested to examine or review and has not examined or reviewed any financial documents, statements or other materials that have been or may be furnished in connection with the authorization, issuance or marketing of the Refunding Bonds, and therefore, has not expressed and will not express an opinion with respect to the accuracy or completeness of the official statement or any such financial documents, statements or materials.

TAX MATTERS: In the opinion of Bond Counsel, subject, however to certain qualifications described herein, under existing law, the

interest on the Refunding Bonds is excluded from gross income for federal income tax purposes, such interest is not an item of tax preference for purposes of the federal alternative minimum tax imposed on individuals and corporations, although for the purpose of computing the alternative minimum tax imposed on certain corporations, such interest is taken into account in determining certain income and earnings. In the further opinion of Bond Counsel, the Refunding Bonds and interest thereon are exempt from all taxation in the State of Michigan except estate taxes, gross receipts taxes and taxes on gains realized from the sale, payment or other disposition thereof.

"QUALIFIED TAX EXEMPT OBLIGATIONS": The Refunding Bonds have been designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986.

CERTIFICATE REGARDING "ISSUE PRICE": The Purchaser will be required, as a condition of delivery of the Refunding Bonds, to certify the "issue price" of the Refunding Bonds within the meaning of Section 1273 of the Code, which will include a representation that at least 10 percent of each maturity of the Refunding Bonds has been sold to the public (excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at a price not exceeding the stated initial offering price. In addition, if the successful proposer will obtain a municipal bond insurance policy or other credit enhancement for the Refunding Bonds in connection with their original issuance, the successful proposer will be required, as a condition of delivery of the Refunding Bonds, to certify that the premium therefor will be less than the present value of the interest expected to be saved as a result of such insurance or other credit enhancement. The form of an acceptable certificate will be provided by bond counsel.

DELIVERY OF BONDS: The City will furnish Refunding Bonds ready for execution at its expense. Refunding Bonds will be delivered without expense to the Purchaser. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the Refunding Bonds, will be delivered at the time of delivery of the Refunding Bonds. If the Refunding Bonds are not tendered for delivery by twelve o'clock noon, Eastern Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful proposer may on that day, or any time thereafter until delivery of the Refunding Bonds, withdraw its proposal by serving written notice of cancellation on the undersigned, in which event the City shall promptly return the good faith deposit. Payment for the Refunding Bonds shall be made in Federal Reserve Funds. Accrued interest to the date of delivery of the Refunding Bonds shall be paid by the Purchaser at the time of delivery. Notwithstanding the foregoing, the successful proposer will be required to pay for and accept delivery of the Bonds on or about April 13, 2010.

UNDERTAKING TO PROVIDE CONTINUING DISCLOSURE: In order to assist proposers in complying with SEC Rule 15c2-12, as amended, the City will covenant to undertake (pursuant to a resolution adopted or to be adopted by its governing body), to provide annual reports and timely notice of certain events for the benefit of beneficial owners of the Refunding Bonds. The details and terms of the undertaking are set forth in a Continuing Disclosure Certificate to be executed and delivered by the City a form of which is included in the nearly final official statement and in the final official statement.

OFFICIAL STATEMENT:

Hard Copy

A copy of the nearly final official statement (the "Nearly Final Official Statement") may be obtained by contacting Municipal Financial Consultants Incorporated at the address listed below. The Nearly Final Official Statement is in a form deemed final as of its date by the City for purposes of SEC Rule 15c2-12(b)(1), but is subject to revision, amendment and completion of a final official statement (the "Final Official Statement"). The successful proposer shall supply to the City, within twenty-four (24) hours after the award of the Refunding Bonds, all pricing information and any underwriter identification determined by Bond Counsel to be necessary to complete the Final Official Statement.

Internet

In addition, the City has authorized the preparation and distribution of a Nearly Final Official Statement containing information relating to the Refunding Bonds via the Internet. The Nearly Final Official Statement can be viewed and downloaded at www.i-dealprospectus.com/PDF.asp?doc=46114 or at www.tm3.com.

The City will furnish to the successful proposer, at no cost, 100 copies of the Final Official Statement within seven (7) business days after the award of the Refunding Bonds. Additional copies will be supplied upon the proposer's agreement to pay the cost incurred by the City for those additional copies.

The City shall deliver, at closing, an executed certificate to the effect that as of the date of delivery the information contained in the Final Official Statement, including revisions, amendments and completions as necessary, relating to the City and the Refunding Bonds is true and correct in all material respects, and that such Final Official Statement does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

CUSIP NUMBERS: It is anticipated that CUSIP identification numbers will be printed on the Refunding Bonds, but neither the failure to print such numbers nor any improperly printed number shall constitute cause for the Purchaser to refuse to accept delivery of or to pay for the Refunding Bonds. All expenses for printing CUSIP numbers on the Refunding Bonds shall be paid for by the City, except that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the Purchaser.

FURTHER INFORMATION: Additional information may be obtained from Meredith A. Shanle, Municipal Financial Consultants Incorporated, 21 Kercheval Avenue, Suite 360, Grosse Pointe Farms, Michigan 48236, telephone (313) 884-9824.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL PROPOSALS.

ENVELOPES: Envelopes containing the proposals should be plainly marked "City of Portage General Obligation Limited Tax City Share Refunding Bonds, Series 2010."

DANIEL S. FOECKING, CITY FINANCE DIRECTOR
CITY OF PORTAGE

las.ar-ref-por-cs2010

Upcoming Calendar Overview Result Excel

**Wells Fargo Advisors - St. Louis , MO's Bid
Portage**



**\$2,595,000 General Obligation Limited Tax City Share
Refunding Bonds, Series 2010**

For the aggregate principal amount of \$2,595,000.00, we will pay you \$2,585,067.15, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

Maturity Date	Amount \$	Coupon %
12/01/2010	290M	2.0000
12/01/2011	255M	2.0000
12/01/2012	275M	2.0000
12/01/2013	155M	2.0000
12/01/2014	255M	2.0000
12/01/2015	265M	2.0000
12/01/2016	195M	2.5000
12/01/2017	205M	2.8000
12/01/2018	190M	3.0000
12/01/2019	155M	3.2500
12/01/2020	130M	3.3750
12/01/2021	110M	3.6250
12/01/2022	115M	3.7500

Total Interest Cost: \$414,781.67
 Discount: \$9,932.85
 Net Interest Cost: \$424,714.52
 TIC: 2.859300
 Time Last Bid Received On:03/23/2010 11:27:30 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: Wells Fargo Advisors, St. Louis , MO
 Contact: Jim Corbett
 Title:
 Telephone:314-875-5075
 Fax:

Issuer Name: City of Portage Company Name: _____

Accepted By: _____ Accepted By: _____



CHEMICAL BANKSM

8025 Creekside Drive / Portage, MI 49024
Telephone: (269) 324-7099

March 23, 2010

Mr. Daniel S. Foecking, City Finance Director
Office of the Finance Director
Portage City Hall
7900 South Westnedge Avenue
Portage, MI 49002

Dear Mr. Foecking:

With respect to your Request for Proposal for \$2,595,000 City of Portage General Obligation Limited Tax City Share, Kalamazoo County Refunding Bonds, Series 2010, please be advised as follows:

For the entire issue, as described in your Notice of Sale, we will bid par, plus accrued interest from the dated date to the date of delivery to us for bonds maturing and bearing interest as follows:

12/1/2010	\$290,000	1.40%	12/1/2017	\$205,000	3.00%
12/1/2011	\$255,000	1.70%	12/1/2018	\$190,000	3.10%
12/1/2012	\$275,000	2.00%	12/1/2019	\$155,000	3.20%
12/1/2013	\$155,000	2.30%	12/1/2020	\$130,000	3.25%
12/1/2014	\$265,000	2.50%	12/1/2021	\$110,000	3.30%
12/1/2015	\$195,000	2.70%	12/1/2022	\$115,000	3.35%
12/1/2016	\$195,000	2.90%			

The bid is for all or none of the bonds.

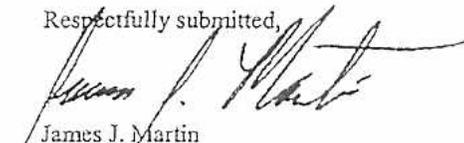
This bid is subject to the following conditions:

- A. That the bonds be exempt from federal and state income tax and further be declared to be a "Qualified Tax-Exempt Obligation" for the purpose of deduction of interest expense by financial institutions;
- B. That the bonds be a general obligation of the City of Portage;
- C. That the bonds be structured in accordance with Michigan statutes pertaining to the authority of cities to borrow;
- D. That the school district provides bond documents and a legal opinion acceptable to bank counsel.

This rate commitment will expire 45 days from the date of this letter unless extended by the bank in writing.

We are pleased to be of service to you.

Respectfully submitted,


James J. Martin
Branch Manager, Portage
Chemical Bank

The following is a computation of the true interest cost on the above bid from April 1, 2010. This computation is not to be considered part of this bid and is subject to verification:

Gross Interest Cost	\$	428,023.33
Premium (Discount)	\$	-
Net Interest Cost	\$	428,023.33

True Interest Cost 2.88334% www.chemicalbankmi.com

2.8817%

Upcoming Calendar Overview Result Excel

**Fifth Third Securities, Inc. - Cincinnati , OH's Bid
Portage
\$2,595,000 General Obligation Limited Tax City Share
Refunding Bonds, Series 2010**



For the aggregate principal amount of \$2,595,000.00, we will pay you \$2,652,687.15, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

Maturity Date	Amount \$	Coupon %
12/01/2010	290M	2.0000
12/01/2011	255M	2.0000
12/01/2012	275M	2.0000
12/01/2013	155M	2.0000
12/01/2014	255M	3.0000
12/01/2015	265M	3.0000
12/01/2016	195M	3.0000
12/01/2017	205M	3.5000
12/01/2018	190M	4.0000
12/01/2019	155M	4.0000
12/01/2020	130M	4.0000
12/01/2021	110M	4.0000
12/01/2022	115M	4.0000

Total Interest Cost: \$504,025.00
 Premium: \$57,687.15
 Net Interest Cost: \$446,337.85
 TIC: 2.945841
 Time Last Bid Received On:03/23/2010 11:23:32 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: Fifth Third Securities, Inc., Cincinnati , OH
 Contact: Bill Terlesky
 Title:
 Telephone:513-534-7186
 Fax:

Issuer Name: City of Portage Company Name: _____

Accepted By: _____ Accepted By: _____

Upcoming Calendar Overview Result Excel

Robert W. Baird & Co., Inc. - Milwaukee , WI's Bid
Portage
\$2,595,000 General Obligation Limited Tax City Share
Refunding Bonds, Series 2010



For the aggregate principal amount of \$2,595,000.00, we will pay you \$2,650,912.00, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

Maturity Date	Amount \$	Coupon %
12/01/2010	290M	2.0000
12/01/2011	255M	2.0000
12/01/2012	275M	3.0000
12/01/2013	155M	3.0000
12/01/2014	255M	3.0000
12/01/2015	265M	3.0000
12/01/2016	195M	3.0000
12/01/2017	205M	3.5000
12/01/2018	190M	4.0000
12/01/2019	155M	4.0000
12/01/2020	130M	4.0000
12/01/2021	110M	4.0000
12/01/2022	115M	4.0000

Total Interest Cost: \$517,041.67
 Premium: \$55,912.00
 Net Interest Cost: \$461,129.67
 TIC: 3.051104
 Time Last Bid Received On:03/23/2010 11:23:51 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: Robert W. Baird & Co., Inc., Milwaukee , WI
 Contact: Drew Kanyer
 Title:
 Telephone:414-765-7331
 Fax:

Issuer Name: City of Portage Company Name: _____

Accepted By: _____ Accepted By: _____

Upcoming Calendar Overview Result Excel

**Hutchinson, Shockey, Erley & Co. - Chicago , IL's Bid
Portage**



**\$2,595,000 General Obligation Limited Tax City Share
Refunding Bonds, Series 2010**

For the aggregate principal amount of \$2,595,000.00, we will pay you \$2,590,172.95, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

Maturity Date	Amount \$	Coupon %
12/01/2010	290M	2.0000
12/01/2011	255M	2.0000
12/01/2012	275M	2.0000
12/01/2013	155M	2.0000
12/01/2014	255M	2.2500
12/01/2015	265M	2.5000
12/01/2016	195M	3.0000
12/01/2017	205M	3.2500
12/01/2018	190M	3.5000
12/01/2019	155M	4.0000
12/01/2020	130M	4.0000
12/01/2021	110M	4.0000
12/01/2022	115M	4.0000

Total Interest Cost: \$475,429.17
 Discount: \$4,827.05
 Net Interest Cost: \$480,256.22
 TIC: 3.223151
 Time Last Bid Received On:03/23/2010 11:25:10 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: Hutchinson, Shockey, Erley & Co., Chicago , IL
 Contact: Jim VanMetre
 Title:
 Telephone:312-443-1550
 Fax: 443-72-25

Issuer Name: City of Portage Company Name: _____

Accepted By: _____ Accepted By: _____

Upcoming Calendar Overview Result Excel

**PNC Capital Markets - Philadelphia , PA's Bid
Portage**



**\$2,595,000 General Obligation Limited Tax City Share
Refunding Bonds, Series 2010**

For the aggregate principal amount of \$2,595,000.00, we will pay you \$2,569,291.00, plus accrued interest from the date of issue to the date of delivery. The Bonds are to bear interest at the following rate(s):

Maturity Date	Amount \$	Coupon %
12/01/2010	290M	2.0000
12/01/2011	255M	2.0000
12/01/2012	275M	2.0000
12/01/2013	155M	2.0000
12/01/2014	255M	2.2500
12/01/2015	265M	2.5000
12/01/2016	195M	3.0000
12/01/2017	205M	3.0000
12/01/2018	190M	3.2500
12/01/2019		
12/01/2020		
12/01/2021		
12/01/2022	510M	3.7500

Total Interest Cost: \$453,320.83
 Discount: \$25,709.00
 Net Interest Cost: \$479,029.83
 TIC: 3.239524
 Time Last Bid Received On:03/23/2010 10:58:29 EDST

This proposal is made subject to all of the terms and conditions of the Official Bid Form, the Official Notice of Sale, and the Preliminary Official Statement, all of which are made a part hereof.

Bidder: PNC Capital Markets, Philadelphia , PA
 Contact: Mark Denick
 Title:
 Telephone:215-585-1441
 Fax:

Issuer Name: City of Portage Company Name: _____

Accepted By: _____ Accepted By: _____